



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** February 5, 2019  
**TO:** Board of Supervisors  
**FROM:** Bryan J. Hill, County Executive *B. Hill*  
**SUBJECT:** 2019 Legislative Report No. 2 – Board Legislative Committee Meeting of January 25, 2019

With crossover upon us, just over two weeks remain in the 2019 General Assembly session. While the vast majority of bills introduced this session have already been acted upon by their respective originating chambers, any outstanding legislation must reach the opposite chamber by midnight today, February 5, or it will not be considered for the remainder of the session.

Following crossover, both houses will continue work on their individual revenue bills, as well as the state budget. The House Appropriations and Senate Finance Committees reported their respective budgets on February 3. As in years past, we expect that each chamber will reject the other's budget and appoint members to a conference committee to resolve these differences.

The Legislative Committee met on January 25 to consider several issues of importance to the County. The Committee offers the following report and recommendations for action to the Board.

### Legislative Committee Actions of January 25, 2019:

Members Present: Legislative Chairman McKay  
Chairman Bulova  
Supervisor Cook  
Supervisor Foust  
Supervisor Gross  
Supervisor Herrity  
Supervisor Hudgins  
Supervisor Smith  
Supervisor Smyth  
Supervisor Storck

### **Specific Issues**

Member Budget Amendments: The Committee discussed member budget amendments that are key to County priorities (see “Supplementary Documents” pages 61-65).

Joint Legislative Audit and Review Commission (JLARC) Study Resolution on Workers’ Compensation: The Committee received copies of a JLARC study resolution directing JLARC staff to review the operation and performance of the Virginia workers’ compensation system and use of presumptions (see “Supplementary Documents” pages 66-67).

### **Priority Principles for Reviewing Legislation**

1. **Adequately fund K-12 education.**
2. **The Commonwealth should build upon the successful enactment of significant transportation revenues by the 2013 General Assembly to ensure sufficient funding for transportation needs.**
3. **Restore the funding partnership between the state and localities through adequate state funding.**
4. **Preserve local government authority, particularly in taxation and land use; allow greater flexibility in the administration of government.**

### **Specific Legislation**

Fairfax County Legislative Summary: The Committee discussed the status of legislation on which the Committee had previously taken positions and discussed changing the position on one bill and updating the position note on another bill. The Committee’s positions on these bills are noted in the attached tracking chart.

## **Historical Positions of the Board**

### **SUPPORT**

**HB 2528** (Hugo) (HCT) provides that a person is guilty of felony homicide, which constitutes second degree murder and is punishable by confinement of not less than five nor more than 40 years, if the underlying felonious act that resulted in the killing of another involved the manufacture, sale, gift, or distribution of a Schedule I or II controlled substance to another and (i) such other person's death results from his use of the controlled substance and (ii) the controlled substance is the proximate cause of his death. The bill also provides that venue for a prosecution of this crime shall lie in the locality where the underlying felony occurred, where the use of the controlled substance occurred, or where death occurred. This bill serves to overrule the Court of Appeals of Virginia decision in *Woodard v. Commonwealth*, 61 Va. App. 567, 739 S.E.2d 220 (2013), *aff'd*, 287 Va. 276, 754 S.E.2d 309 (2014). Support; Board has historically supported. (19101005D)

## **OPPOSE**

**SB 1783** (Boysko) (SLG) provides that qualifying grievances by local government employees shall advance to a final step as agreed upon by the aggrieved and the local government; however, if an agreement cannot be reached on whether to use a panel hearing or hearing officer, a three-person panel shall be used. The bill contains technical amendments. Oppose; Board has historically opposed. (19104563D)

## **New Bills – 2019 GA**

### **Human Services**

**HB 2014** (Peace) (HHWI) aligns the Code of Virginia with the Family First Prevention Services Act of 2018. The bill contains an emergency clause for provisions of the bill relating to background checks for employees of, volunteers at, and contractors providing services to juveniles at children's residential facilities. Monitor. (19101811D)

**HB 2474** (Torian) (HHWI) directs the Department of Medical Assistance Services to develop and implement an expedited review process for applications for community or institutional long-term care services for individuals diagnosed with a terminal condition. Oppose unless amended to return to requiring an expedited review only for applicants with a terminal condition. (HHWI subcommittee substitute)

**SB 1405** (Dance) (Passed Senate; HHWI) allows a pharmacist to include information regarding the proper disposal of medicine when giving counsel to a person who presents a new prescription for filling. Support. (19101424D)

**SB 1439** (McClellan) (Passed Senate; HHWI) requires the completed medical certification portion of a death certificate to be filed electronically with the State Registrar of Vital Records through the Electronic Death Registration System and provides that failure to file a medical certification of death electronically through the Electronic Death Registration System shall constitute grounds for disciplinary action by the Board of Medicine. The bill includes a delayed effective date of January 1, 2020, and a phased-in requirement for registration with the Electronic Death Registration System and electronic filing of medical certifications of death for various categories of health care providers. The bill directs the Department of Health to work with stakeholders to educate and encourage physicians, physician assistants, and nurse practitioners to timely register with and utilize the Electronic Death Registration System. Support. (19105238D-S1)

**SB 1622** (McPike) (SRSS) requires licensed child day programs and certain other programs that serve preschool-age children to develop and implement a plan to test potable water from sources identified by the U.S. Environmental Protection Agency as high priority as often as is required of the supplying public water system by the Virginia Department of Health's Office of Drinking Water. The bill requires such plan and the results of each such test to be submitted to the Commissioner of Social Services and the Department of Health's Office of Drinking Water. The bill stipulates that if the result of any such test indicates a level of lead in the potable water that is

at or above 15 parts per billion, the program shall remediate the level of lead in the potable water to below 15 parts per billion and confirm such remediation by retesting the water at two consecutive six-month intervals and submitting the results of the retests to the Commissioner of Social Services and the Department of Health's Office of Drinking Water. The bill also provides such programs the option of using bottled water in lieu of testing or remediation. Monitor. (19104179D)

### **Land Use**

**HB 2549** (Jones, S.C.) prohibits localities from including areas designated as Resource Protection Areas, pursuant to criteria developed by the State Water Control Board, in a clustering zoning density calculation and provides that nothing in the statute shall require a locality to allow a greater overall density for a clustered development than would be required on a non-clustered development. Oppose. (19104091D)

**HB 2686** (Knight) (HCCT) changes the vote requirement for certain board of zoning appeals decisions from a majority of the membership to a majority of the membership present and voting. Oppose. (19103623D)

### **Transportation**

**SB 1759** (Surovell) (SCL) provides that when the Commonwealth Transportation Board determines that it is necessary that any existing overhead electric distribution, cable, or telecommunications line be replaced with an underground line in order to accommodate a transportation infrastructure improvement in an area of transit-oriented development, the utility shall relocate the line underground, with the Board paying to the utility the cost of relocating or removing the line above ground. An electric utility may apply to recover the net costs of undergrounding a distribution line through a rate adjustment clause. A cable operator or telecommunications service provider may recover the net cost of undergrounding overhead cable or telecommunications lines in the same manner as it recovers other capital costs. Support. (19100654D) **Staff Note: The current version of SB 1759 is significantly different than the one discussed by the Board on January 25, and the Board has not yet taken a position on the revised legislation.**

**SB 1770** (Deeds) (SFIN) creates a statewide approach to transportation funding. The bill repeals the regional sales tax and gas tax enacted in 2013 to fund transportation initiatives in Hampton Roads and Northern Virginia, and raises the statewide gas tax by three percent to fund transportation generally. The bill has a delayed effective date of July 1, 2020, and directs the Secretary of Transportation to report to the Governor and the chairmen of the House Committees on Appropriations and Transportation and the Senate Committees on Finance and Transportation regarding changes necessary to existing transportation funding allocations to honor existing contracts and debt service obligations. Oppose. (19104415D)

## **Environment**

**HB 2506** (Hodges) (HAG) directs the State Water Control Board to adopt regulations allowing the owner of residential property in a Chesapeake Bay Preservation Area to deposit appropriate fill material in certain low-lying areas within 50 landward feet of a resource protection area (RPA) located on the property. The bill establishes certain provisions that the regulations shall contain and provides that no filling that is carried out in compliance with such regulations shall (i) be considered a land-disturbing activity for purposes of stormwater management and erosion and sediment control, (ii) require a Virginia Water Protection Permit, or (iii) require a permit from the Virginia Marine Resources Commission. The bill also authorizes certain localities to adopt ordinances establishing a local permit process for projects that disturb less than one acre, and it requires projects that disturb one acre or more of land to follow general permit requirements established in statute. Oppose. (19104058D)

**HB 2792** (Tran) (HLC) directs the State Corporation Commission to establish a pilot program that affords the opportunity for any municipality to participate in net energy metering if it is a retail customer of an investor-owned electric utility. In order to qualify for the program, the municipality is required to own and operate a renewable generating facility that is located on the municipality's premises and is intended primarily to offset all or part of the municipality's own electricity requirements. Under the pilot program, a municipal customer-generator that generates electricity in amounts that exceed the amount of electricity consumed by the municipal customer-generator, determined annually, will receive a credit against its electricity consumption at one or more other separately metered buildings or facilities. The measure provides that the amount of any such credit shall be equal to or greater than the generation-energy related rate under the Electrical Supply Service Charges of the host building plus all applicable generation-related riders or taxes and fuel-related riders or taxes, without the assessment by the utility of any service charges or fees in connection with or arising out of such crediting. The duration of the pilot program is six years. Support with amendment to allow the use of power purchase agreements in the pilot program, which is essential for Fairfax County to pursue net metering projects. (19104713D)

### *Stormwater*

**HB 2103** (Freitas) (HAG) directs the State Water Control Board to establish a procedure that allows an operator to submit stormwater management plans that are sufficient for a particular proposed land-disturbing activity without requiring such plans to cover any subsequent land-disturbing activity anticipated at the same location or an adjacent location. The bill also amends a provision of the law that is not yet effective, directing the establishment of the same procedure as it applies not only to stormwater management plans but also to erosion and sediment control plans. Oppose. (19104080D)

## **Opioids**

**HB 2158** (Plum) (HHWI) expands the list of individuals who may dispense naloxone pursuant to a standing order to include emergency medical services personnel and health care providers providing services in hospital emergency departments and eliminates the requirements (i) that an

organization providing services to individuals at risk of experiencing an opioid overdose or training in the administration of naloxone for overdose reversal obtain a controlled substances registration prior to dispensing naloxone, (ii) that naloxone dispensed on behalf of the organization be dispensed by a person who is authorized to train individuals on the administration of naloxone, and (iii) that individuals to whom naloxone is dispensed complete a training program prior to dispensing. The bill also provides that a person who dispenses naloxone shall not be required to obtain a permit to operate a pharmacy or a controlled substances registration and allows a person who dispenses naloxone to charge a fee for dispensing of naloxone provided the fee is no greater than the cost to the organization of obtaining the naloxone dispensed. Support. (19104132D)

### **Public Safety/Criminal Justice**

**SB 1708** (Edwards) (SCT) makes final and binding the decision of the hearing panel conducting a hearing to review an action that dismisses, demotes, suspends, or transfers a law-enforcement officer for punitive reasons, if such decisions are consistent with law and written policy. Under current law, the hearing panel only provides advisory recommendations. The bill allows either party to the hearing to petition the circuit court of the locality in which the grievant is employed for an order requiring the implementation of the final decision of the hearing panel. Oppose. (19104419D)

### **Legislation Provided for Discussion**

#### **Conflict of Interests Act**

**SB 1430** (Obenshain) (SRUL) requires all local elected officials to take training on the provisions of the State and Local Government Conflict of Interests Act at least once every two years. The bill requires such officials in office on July 1, 2019, to complete such training no later than December 31, 2019. The bill also prohibits an attorney for the Commonwealth from serving simultaneously as a county, city, or town attorney. The bill requires the Virginia Conflict of Interest and Ethics Advisory Council (the Council) to offer guidance to any person who contacts the Council with an inquiry regarding ethics, conflicts issues, or a person's duties under the General Assembly Conflicts of Interests Act, the State and Local Government Conflict of Interests Act, or lobbying laws. Current law requires the Council to offer guidance on such Acts and lobbying laws to state and local government agencies and to those individuals to whom the Acts and lobbying laws apply. Amend to clarify that training will be online and to ensure parity with the requirements for state officials. (19103492D)

#### **Elections**

##### *June Primary Date*

**HB 1615** (Landes) (HPE) changes the date of the primary election held in June from the second Tuesday in June to the third Tuesday in June. The bill also changes candidate filing deadlines to reflect the change of date. Support. (19100239D)

## **Transportation**

### *Motorized Skateboards and Scooters*

**HB 2752** (Pillion) (HTRAN) authorizes localities to require that persons offering motorized skateboards or foot-scooters be licensed. The bill also makes other technical amendments related to motorized skateboards and foot-scooters. Support. (19105484D)

## **Workers' Compensation and Post-Traumatic Stress Disorder**

**HB 2513** (Hugo) (HLC) establishes a presumption that if certain firefighters, law-enforcement officers, hazardous materials officers, animal protection police officers, or 9-1-1 emergency call takers, dispatchers, or similarly situated employees (i) receive a diagnosis of post-traumatic stress disorder (PTSD) from a licensed physician, licensed clinical psychologist, licensed professional counselor, or licensed clinical social worker; (ii) suffer death or any impairment resulting in total or partial disability from work caused by the PTSD; and (iii) receive a statement from such a provider that the PTSD was caused by a single critical event or multiple exposures to critical events that occurred in the course of the employment, then the PTSD is an occupational disease, suffered in the line of duty, that is covered by the Virginia Workers' Compensation Act unless such presumption is overcome by a preponderance of competent evidence to the contrary. The measure provides that a "critical event" includes an event that results in serious injury or death to an individual; deals with a minor who has been injured, killed, abused, exploited, or a victim of a crime; deals with mass casualties; results in injury to or the death of a coworker; involves an immediate threat to the life of the claimant or another individual; or involves the abuse, cruelty, injury, exploitation, or death of an animal. Support. Also support the Joint Legislative Audit and Review Commission's comprehensive study of workers' compensation. (19102118D)

### **Legislation Requiring Further Review**

**HB 1647** (Bourne) (HGL) prohibits any locality, its employees, or its appointed commissions from discriminating (i) in the application of local land use ordinances or guidelines; (ii) in the permitting of housing developments on the basis of race, color, religion, national origin, sex, elderliness, familial status, or handicap; or (iii) in the permitting of housing developments because the housing development contains or is expected to contain affordable housing units occupied or intended for occupancy by families or individuals with incomes at or below 80 percent of the median income of the area where the housing development is located or is proposed to be located. The bill also requires the Fair Housing Board, after determining the existence of an unlawful discriminatory housing practice and after consultation with the Attorney General, to immediately refer the matter to the Attorney General for civil action. (19101030D)

**HB 2305** (Leftwich) (HCCT) sets out sections in Title 15.2 that are currently carried by reference only. Locality descriptions are replaced with locality names, and various technical amendments are made. This bill is a recommendation of the Virginia Code Commission. (19104295D)

**SB 1638** (Boysko) (SCT) alters the requirements for newspapers that may be used for legal notices and publications by (i) changing the publication and circulation requirement from 24 consecutive weeks to at least 50 of the preceding 52 weeks and requiring such publication be in printed form; (ii) requiring that such a newspaper provide general news coverage of the area in which the notice is to be published; (iii) requiring that such newspaper publish the United States Postal Service Statement of Ownership in such newspaper at least once per calendar year and maintain a copy for inspection; and (iv) have a list consisting of a number of paying or requesting subscribers that is equal to or greater than five percent of the households in the jurisdiction where a notice is to be published. The bill further provides that a newspaper that lacks a periodicals permit issued by the United States Postal Service or does not meet the subscriber threshold may petition the circuit court for the jurisdiction in which such notices or publications are to be published, as opposed to where such newspaper is located as current law requires, for the authority to be certified as a newspaper of general circulation. The bill further allows a locality that determines that no newspaper published in such locality otherwise meets the requirements that enable it to be a newspaper for the use of such notices and publications to petition the circuit court in the jurisdiction in which such notices and publications are to be published for the authority to be published in another medium. The bill specifies that such petition shall not be filed without majority approval of the locality's local governing body. The bill requires that any newspaper authorized to publish such notices and publications shall also (a) print such notices and publications in a prominent location in such newspaper with an identifying heading printed in boldface letters no smaller than 24-point type and (b) maintain at least three years' worth of print archives of such newspaper and make such archives available for public inspection. The bill further requires that a newspaper shall post a notice on the newspaper's website, if such a website is published by such newspaper, and on a searchable, statewide repository website established and maintained as a joint venture of the majority of Virginia newspapers as a repository for such notices. The bill provides that any notice published on a website shall be accessible to the public at no charge. (19104525D)

### **Animals**

**SB 1025** (Spruill) (Senate Floor) provides that outdoor tethering of a companion animal does not meet the requirement that an animal be given adequate shelter, unless the animal is actively engaged in an agricultural or hunting activity, when tethering is conducted (i) when the temperature is 32 degrees Fahrenheit or lower, or 85 degrees Fahrenheit or higher; (ii) during a heat advisory; or (iii) during a severe weather warning. The bill provides that a tether meets the requirement that an animal be given adequate space if the tether is four times the length of the animal or 15 feet in length, whichever is greater, and does not cause injury or pain, weigh more than one-tenth of the animal's body weight, or have weights or heavy objects attached to it. Current law provides that the tether be three times the length of the animal. The bill exempts agricultural animals from existing provisions related to tethering. The bill also authorizes any locality to adopt ordinances that parallel and make more stringent the state law regarding the care of companion animals. (19100082D-E)

### **Courts**

**HB 1741** (Bulova) (HCT) provides that any person who (i) knowingly makes or causes to be made any false statement in writing or fails to disclose any material fact concerning the financial means or ability to pay for the purpose of procuring aid and benefits under any local, state, or federally funded housing assistance program or (ii) knowingly fails to disclose a change in circumstances in order to obtain or continue to receive aid or benefits under such program or who knowingly aids and abets another person in the commission of any such act is guilty of larceny. If the amount of the aid or benefits obtained is \$500 or more, such person is guilty of grand larceny, which is punishable by imprisonment in a state correctional facility for not less than one nor more than 20 years or, in the discretion of the jury or a court trying the case without a jury, confinement in jail not exceeding 12 months or a fine of not more than \$2,500, either or both. If the amount of the aid or benefits obtained is less than \$500, such person is guilty of petit larceny, which is a Class 1 misdemeanor. Under current law, such actions are punishable as a Class 1 misdemeanor regardless of the amount of the aid or benefits obtained. (19103572D)

**HB 1767** (Jones, J.C.) (House Floor) adds parents who receive support or services from the deceased to the primary list of beneficiaries who may receive a distribution of wrongful death damages. (19104764D-H1)

**SB 1543** (Surovell) (Reported from SCT) adds the parents of the deceased who received support or services from the deceased to the first class of beneficiaries to whom a distribution of an award of damages in a wrongful death action shall be made. (19104847D-S1)

**HB 1799** (Heretick) (HCT) eliminates the accrual of interest on any fine or costs imposed in a criminal case or in a case involving a traffic infraction. The bill provides that any such fine or costs that have accrued interest prior to July 1, 2019, shall cease to accrue interest on July 1, 2019, and such accrued interest may be waived by any court. A person who owes fines and costs on which interest has accrued may move any court in which he owes fines and costs to waive

the interest that accrued on such fines and costs and shall have such interest waived for any period of incarceration. (19100099D)

**HB 1944** (Campbell, J.) (HCT)/**SB 1542** (Surovell) (Passed Senate) sets out the factors to be considered by the court in its determination of a person's indigency for the purpose of not being required to pay fees or costs in a civil action. The bill also provides that a person is presumed unable to pay if he is a current recipient of a state or federally funded public assistance program or he is represented by a legal aid society. The bill provides that the presumption is rebuttable except in the case of a no-fault divorce. (19101359D, 19105303D-S1)

**HB 1954** (Campbell, J.) (House Floor) provides that in a judicial proceeding brought under the Uniform Power of Attorney Act commenced on or after July 1, 2019, the court may award costs and expenses, including reasonable attorney fees, to any party, to be paid by another party or from the principal's property. (19104514D-H1)

**HB 2199** (Collins) (HCT) provides that, in a hearing on a preliminary removal order or preliminary protective order for a child, all relevant and material evidence helpful in determining whether such order may be issued by the court may be admitted by the court even though such evidence may not be competent in a final dispositional hearing. (19103717D)

**HB 2289** (Leftwich) (House Floor) provides that, where a matter is pending in either the general district court or the circuit court, upon motion of the plaintiff seeking to amend the amount of the claim, the court shall order transfer of the matter to the court having jurisdiction over the claim without requiring a dismissal of the claim or a nonsuit. The bill further provides that, where such an amended claim provides the general district court and the circuit court with concurrent jurisdiction over such a claim, the court shall transfer the matter to either the general district court or the circuit court, as directed by the plaintiff, provided that such court otherwise has jurisdiction over the matter. (19101784D)

**HB 2317** (Aird) (HCT) provides that in custody and visitation cases in which a history of family abuse has been considered, at the request of either party, the court may order a law-enforcement officer to be present at the exchange of a child pursuant to a custody or visitation order. (19103599D)

**HB 2675** (Tyler) (HCT) requires a general district court clerk to file, process, and issue for service of process any pleading initiating a civil action in the general district court within 14 days of receipt of such pleading. (19104383D)

**HB 2753** (Watts) (HCT) provides that no seller or person acting for him shall make or attempt to make a home solicitation sale (i) to any person on property where he knows or reasonably should know that such person resides in a dwelling unit at which a no soliciting sign is posted at a place where it may be reasonably seen or (ii) to any person who has informed such seller or person acting for him that he does not wish to receive a home solicitation. A violation of this provision is punishable as a Class 1 misdemeanor. (19104676D)

**HB 2773** (Bell, Robert B.) (HCT) increases the amount that may be awarded to a crime victim for total loss of earnings resulting from incapacity from 66-2/3 percent to 100 percent of such victim's average weekly wages and removes the current \$600 limit placed on such award. The bill also increases from \$5,000 to \$10,000 the maximum amount a claimant may be awarded from the Criminal Injuries Compensation Fund for expenses directly related to funeral or burial costs and increases from \$25,000 to \$35,000 the maximum aggregate award received by a claimant as a result of an injury or death. (19102633D)

**HB 2806** (LaRock) (HCCT) requires each locality to codify all ordinances, in permanently bound or loose-leaf form or in an online format so as to be easily accessed by other governmental entities and the public. The bill provides that any person who is the subject of an action brought by a locality for violation of an ordinance is entitled to assert as an affirmative defense that the ordinance was not codified and therefore failed to provide adequate notice to the public of the contents of the ordinance. (19102462D)

**HJ 687** (Keam) (HRUL) requests that the Office of the Executive Secretary of the Virginia Supreme Court study options and models for a tax court system in the Commonwealth, including the tax court systems of other states, as well as options and models provided by research organizations. The Office of the Executive Secretary shall report its findings to the members of the General Assembly by the first day of the 2020 Regular Session. (19103680D)

**SB 1019** (Marsden) (Senate Floor) requires a court, in assessing whether a case regarding child custody, visitation, or support is appropriate for referral to mediation, to consider whether such case can be heard by the court within 120 days of the filing of an initial petition. The bill provides that if a case cannot be heard by the court within 120 days and is otherwise deemed appropriate for referral, such case shall be referred. (19105300D-S1)

**SB 1139** (Favola) (Senate Floor) requires the court to consider the appropriateness of a written post-adoption contact and communication agreement entered into in any case in which a child has been placed in foster care as a result of court commitment, an entrustment agreement or other voluntary relinquishment by the parent or parents, or in cases in which there is voluntary consent to the adoption of the child at a permanency planning hearing. Under current law, such consideration is discretionary. The bill further requires, for agency adoptions, the agency authorized to place the child for adoption to inform the birth and adoptive parents of a child that they may enter into a written post-adoption contract and communication agreement. The bill further requires a circuit court to approve a post-adoption contact and communication agreement authorized or entered into unless certain determinations are made or certain factors are present. Currently, such approval is discretionary and requires both that certain factors be present and for certain determinations to be made by the court in order for such agreement to be approved. (19105184D-S1)

**SB 1150** (DeSteph) (Passed Senate; HCT) provides that a magistrate may not issue an arrest warrant for a misdemeanor offense where the accused is a law-enforcement officer and the alleged offense arises out of the performance of his public duties upon the basis of a complaint by a person other than a law-enforcement officer or an animal control officer without prior

authorization by the attorney for the Commonwealth or by a law-enforcement agency. The bill provides for the appointment of an attorney for the Commonwealth from outside the jurisdiction if a conflict of interest exists for the attorney for the Commonwealth having jurisdiction. (19100889D)

**SB 1309** (Edwards) (SCT) provides civil immunity to an employer who makes a report to a potential employer or law-enforcement agency of violent or threatened violent behavior, as defined in the bill, by an employee or former employee, provided that such a report was made in good faith and with reasonable cause to make such report. The bill further provides immunity to a potential employer who receives such a report and takes reasonable action in good faith to respond to the violent or threatened violent behavior noted in such report. The bill further provides that the court shall award reasonable attorney fees and costs to any employer or potential employer who has a suit dismissed against him pursuant to the immunity provided to him. (19102632D)

#### *Driver's License Suspension*

**HB 2059** (Carr) (HCT)/**SB 1667** (Dance) (SCT) provides that an individual who is delinquent in child support payments or has failed to comply with a subpoena, summons, or warrant relating to paternity or child support proceedings is entitled to a judicial hearing if he makes a written request within 30 days from service of a notice of intent to suspend or renew his driver's license. Current law provides such an entitlement if such request is made within 10 days from such notice. The bill further allows the Department of Motor Vehicles to renew a driver's license or terminate a license suspension imposed on an individual if such individual has reached an agreement with the Department of Social Services to satisfy the child support payment delinquency within a 15-year period, an increase of five years over the period allowed under current law, and has made at least one payment of at least five percent of the total delinquency or \$600, whichever is less, as opposed to whichever is greater under current law, under such agreement. The bill further provides that, where such a repayment agreement has been entered into and such an individual has failed to comply with such agreement, the Department of Motor Vehicles shall suspend or refuse to renew such individual's driver's license until it has received certification from the Department of Social Services that such individual has entered into a subsequent agreement to pay within a period of 10 years, an increase of three years over the period allowed under current law, and has paid the lesser amount, as opposed to greater amount under current law, of at least one payment of \$1,200 or seven percent, as opposed to five percent under current law, of the current delinquency. The bill provides that an individual who fails to comply with such a subsequent agreement may enter into a new agreement if such individual has made a payment in the lesser amount, as opposed to the greater amount under current law, of \$1,800 or 10 percent, as opposed to five percent under current law, and agrees to a repayment schedule of not more than seven years, which is consistent with the timeframe provided by the current law. (19101815D, 19103983D)

**SB 1013** (Stanley) (Senate Floor) repeals the requirement that the driver's license of a person convicted of any violation of the law who fails or refuses to provide for immediate payment of fines or costs be suspended. The bill also removes a provision allowing the court to require a

defendant to present a summary prepared by the Department of Motor Vehicles of the other courts in which the defendant also owes fines and costs. The bill requires the Commissioner of the Department of Motor Vehicles to return or reinstate any person's driver's license that was suspended prior to July 1, 2019, solely for nonpayment of fines or costs, provided that such person has paid the applicable reinstatement fee. (19104813D-S1)

**SB 1613** (Ebbin) (Senate Floor) removes the existing provisions that allow a person's driver's license to be suspended (i) when he is convicted of or placed on deferred disposition for a drug offense and (ii) for violations not pertaining to the operator or operation of a motor vehicle. (19103734D)

#### *Protective Orders*

**HB 2417** (Herring) (House Floor) requires any emergency protective order to prohibit (i) the respondent from committing acts of family abuse or criminal offenses that result in injury to person or property and (ii) such contacts by the respondent with the allegedly abused person or family or household members of the allegedly abused person, including prohibiting the respondent from being in the physical presence of the allegedly abused person or family or household members of the allegedly abused person, as the judge or magistrate deems necessary to protect the safety of such persons. Under current law, a judge or magistrate must only impose one or more of such prohibitions when issuing an emergency protective order. Other conditions that may be imposed under current law remain under the discretion of the judge or magistrate. The bill also allows the petitioner of an emergency protective order to file a motion with the court requesting a hearing to dissolve or modify the order. (19102967D)

#### **Education/Schools**

**HB 2053** (McQuinn) (HED) changes the name of guidance counselors to school counselors and requires school boards to employ school counselors in accordance with the following ratios: (i) effective with the 2019-2020 school year, in elementary schools, one hour per day per 75 students, one full-time at 375 students, one hour per day additional time per 75 students or major fraction thereof; in middle schools, one period per 65 students, one full-time at 325 students, one additional period per 65 students or major fraction thereof; in high schools, one period per 60 students, one full-time at 300 students, one additional period per 60 students or major fraction thereof; (ii) effective with the 2020-2021 school year, in elementary schools, one hour per day per 60 students, one full-time at 300 students, one hour per day additional time per 60 students or major fraction thereof; in middle and high schools, one period per 55 students, one full-time at 275 students, one additional period per 55 students or major fraction thereof; and (iii) effective with the 2021-2022 school year, in elementary, middle, and high schools, one hour per day per 50 students, one full-time at 250 students, one additional hour per day per 50 students or major fraction thereof. (19102240D)

*School Resource Officers*

**HB 2734** (Bourne) (HCT) directs the Department of Criminal Justice Services (Department) to establish compulsory minimum training standards for law-enforcement officers serving as school resource officers that shall include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques; (v) disaster and emergency response; (vi) awareness of cultural diversity and implicit bias; (vii) working with students with disabilities, behavioral health or substance abuse disorders, or trauma experiences; and (viii) student behavioral dynamics, including child and adolescent development. The bill also directs the Department, in consultation with the Department of Education and the Virginia State Crime Commission, to include such similar minimum training standards for school security officers. The bill requires each school board to ensure that every public school employs at least one school administrator who has attended school safety training conducted by the Virginia Center for School and Campus Safety in school safety, anti-bullying tactics, and effective identification of students who may be at risk for violent behavior and are in need of special services or assistance. (19104134D)

**SB 1130** (Locke) (SEH)/**SB 1299** (Barker) (SEH) requires each school resource officer to be trained and certified by the Virginia Center for School and Campus Safety. The bill expands the topics on which school security officers are required to be trained. The bill also requires any school board that agrees to place school resource officers in any school in the school division and the relevant local law-enforcement agency to establish and annually review and update a memorandum of understanding (MOU) governing the use and duties of school resource officers, and ensure that all relevant parties receive initial and ongoing training on the contents of such MOU. (19102420D, 19102735D)

**Elections**

**HB 2034** (McGuire) (HPE) provides for the removal of a general registrar by the circuit court upon a petition signed by a majority of the members of the State Board of Elections or a majority of members of the local electoral board. Currently, a local electoral board may remove a general registrar with a majority vote, while the State Board of Elections may petition the circuit court to remove a general registrar only after petitioning the local electoral board to remove the registrar and the electoral board fails to do so. The bill requires the Virginia Division of Risk Management to assign counsel to the defense of any member of a local electoral board or general registrar subject to a petition for removal, upon that member's or registrar's application. (19105130D)

**HB 2048** (McGuire) (HPE) changes the date of the primary election held in June from the second Tuesday in June to the third Tuesday in June. The bill also changes candidate filing deadlines to reflect the change of date to the June primary. The bill changes the date of the general election held in May from the first Tuesday in May to the second Tuesday in May. The bill does not change candidate filing deadlines associated with the May general. (19100320D)

**HB 2178** (Sickles) (HPE)/**HB 2787** (Rush) (HPE) directs the State Board of Elections to promulgate regulations and standards necessary to ensure the security and integrity of the Virginia voter registration system and the supporting technologies utilized by the counties and cities to maintain and record registrant information. The local electoral boards are also required to develop and update annually written plans and procedures to ensure the security and integrity of the supporting technologies. The local electoral boards are further required to report annually to the Department of Elections on its security plans and procedures. The bill authorizes the Department of Elections to limit a locality's access to the Virginia voter registration system if it is determined that the county or city has failed to develop security plans and procedures or to comply with the security standards established by the State Board; such access would be limited as necessary to address and resolve any security risks or to enforce compliance. Records describing protocols for maintaining the security of the Virginia voter registration system and the supporting technologies utilized to maintain and record registrant information are exempted from the Freedom of Information Act and meetings to discuss those protocols are permitted to be closed pursuant to the provisions of the Freedom of Information Act. (19101864D, 19105273D)

**HB 2774** (Tran) (HPE) requires the State Board of Elections to prescribe, and a covered locality to provide, voting and election materials in languages other than English. A county, city, or town is designated by the State Board as a covered locality if the State Board determines, in consultation with the Director of the Census, based on the 2010 American Community Survey census data and subsequent American Community Survey data in 5-year increments, or comparable census data, that (i) either (a) more than five percent of the citizens of voting age of such county, city, or town are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process, (b) more than 10,000 of the citizens of voting age of such county, city, or town are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process, or (c) in the case of a county, city, or town containing all or any part of an Indian reservation, more than five percent of the American Indian citizens of voting age within the Indian reservation are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process, and (ii) the illiteracy rate of the citizens of the language minority as a group is higher than the national illiteracy rate. (19103013D)

**HJ 591** (Cole) (HPE) gives the General Assembly the authority to make technical adjustments to legislative electoral district boundaries following the enactment of any decennial reapportionment law. Such adjustments may be made solely for the purpose of causing legislative electoral district boundaries to coincide with the boundaries of voting precincts established in the counties and cities and shall be permitted only to the extent necessary to accomplish this purpose. Any change made shall be consistent with any criteria for legislative electoral districts adopted for the preceding decennial redistricting. (19101055D)

**HJ 615** (Cole) (HPE) requires the establishment of independent redistricting commissions by the General Assembly and the governing bodies of each county, city, or town in which members of the governing body are elected from districts. The purpose of these independent redistricting

commissions is to propose electoral districts following the decennial census. The independent redistricting commission established by the General Assembly will consist of eight members, with equal representation given to the political parties, and will be responsible for submitting to the General Assembly proposed plans for congressional and legislative electoral districts. A proposed plan submitted to the General Assembly shall be introduced as a bill, subject to constitutional requirements for the enactment of laws, but will not be subject to amendment or veto by the Governor. The independent redistricting commissions established by the governing body of each county, city, and town in which members of the governing body are elected from districts will consist of four members, with equal representation given to the political parties, and will be responsible for submitting to its governing body proposed plans for local electoral districts. A proposed plan submitted to a governing body shall, if enacted, be done so in accordance with law. (19101058D)

**SB 1102** (Peake) (Reported from SPE) provides that, for purposes of congressional, senate, and House of Delegates districts, if a boundary of such a district virtually coincides with the boundary between two or more localities, the boundary of the congressional district shall conform to the boundary between the localities that has been (i) agreed upon by those localities, (ii) adopted in ordinances by those localities, and (iii) reported by those localities to the United States Bureau of the Census prior to the previous decennial census. If two or more localities sharing a boundary cannot agree on the true boundary line between them, the boundary shall be that which was in existence on April 1, 2011, and was reported by the United States Bureau of the Census in the 2010 Census reports provided pursuant to United States Public Law 94-171. The bill provides a process by which a voter who believes he has been incorrectly assigned to an election district or precinct may request and have his assignment reviewed by the general registrar and, if necessary, the governing body of the county or city. (19105257D-S1)

**SB 1250** (Reeves) (SPE) prohibits changes to the registration record of a registered voter who has been sent or provided an absentee ballot from being processed until after the election for which he was sent or provided an absentee ballot. The prohibition applies to registration transactions by electronic means. The bill requires the Department of Elections to provide instructions to the general registrars for enrolling the name and address of voters to whom an absentee ballot is sent or provided into the Virginia voter registration system and for checking the registration record to determine whether a registered voter has been sent or provided an absentee ballot when receiving a request for a change to the registration record. (19103145D)

**SB 1281** (Barker) (SPE) provides that the expiration date on a Virginia driver's license offered for voting identification purposes shall not be considered when determining the validity of the license. (19101554D)

**SB 1731** (Ebbin) (SPE) provides that elections of members of a county board of supervisors or a city council may be conducted by ranked choice voting, which the bill describes as the method of casting and tabulating votes in which (i) voters rank candidates in order of preference, (ii) tabulation proceeds in rounds in each of which either a candidate or candidates are elected or the last-place candidate is defeated, and (iii) tabulation ends when the number of candidates elected equals the number of offices to be filled. The bill provides that any costs incurred by the

Department of Elections related to technological changes necessary for the implementation of ranked-choice voting pursuant to the bill shall be charged to the localities exercising the option to proceed with ranked-choice voting. The bill has a delayed effective date of July 1, 2020. (19104891D)

### **Employment Issues and Grievances**

**HB 1687** (Krizek) (HLC) provides that an employee has a private cause of action against an employer who fails to pay wages to recover the amount of wages due plus interest at eight percent annually from the date the wages were due. If the court finds that the employer knowingly failed to pay wages, the court shall award the employee reasonable attorney fees and other costs. If the court finds that the employer's failure to pay wages was willful and with intent to defraud the employee, the court shall also award the employee three times the amount of wages due. (19100994D)

**HB 2263** (Krizek) (HCT) creates a cause of action for breach of procedures under the Firefighters and Emergency Medical Technicians Procedural Guarantee Act. The bill removes certain provisions limiting the effect of rights granted by the Act. (19102473D)

**SB 1494** (Edwards) (SGL) creates a cause of action for breach of procedures under the Firefighters and Emergency Medical Technicians Procedural Guarantee Act. The bill removes certain provisions limiting the effect of rights granted by the Act. (19102475D)

### **Environment**

**HB 1683** (Ware) (HLC) authorizes any electric cooperative to (i) increase or decrease its rates without State Corporation Commission approval for any of its services, rather than only for distribution services, at any time if such adjustments will not effect a cumulative net increase or decrease in excess of 5 percent in such rates in any three year period; (ii) if it does not hold a membership interest in a utility aggregation cooperative and the facility that is the subject of the petition is either owned by the cooperative or has achieved commercial operation, petition the Commission for approval of one or more rate adjustment clauses for the timely and current recovery from customers of the costs of generation facilities, underground facilities to replace certain existing overhead distribution facilities, or certain pumped hydroelectricity generation and storage facilities; (iii) adjust the total system cap for net energy metering, agricultural net energy metering, and small agricultural generators to up to five percent of the cooperative's highest total coincident system peak within the past five years; and (iv) subject to findings that it will not result in either an intra-class or inter-class change in cost recovery, adopt any rate, rate component, program, tariff, or terms or conditions of service that the Commission has previously approved for any other cooperative. (19101783D)

**HB 2755** (Fariss) (HAG) eliminates the requirement that a conservation easement conform to the comprehensive plan at the time the easement is granted for the area in which the real property is located. (19104628D)

*Plastic Bags*

**HB 2095** (Guzman) (HCCT) authorizes a locality to prohibit by ordinance the purchase, sale, or provision, whether free or for a cost, of certain single use products that are not recyclable or compostable and for which there is a suitable and cost-effective compostable or recyclable alternative product available, with certain exceptions. The bill also authorizes any county or city to impose a five-cent per bag tax on disposable plastic bags provided to customers by certain retailers, with certain bags being exempt from the tax. The bill directs revenue from the local tax to be used by the county or city imposing the tax for litter control and stormwater management. The bill allows every retailer that collects the tax to retain one cent of the five-cent tax if the tax is paid in a timely manner. (19102821D)

*Solar*

**SB 1091** (Reeves) (SLG) requires an owner or operator of solar photovoltaic systems and related equipment to submit a performance and reclamation bond to the Department of Mines, Minerals and Energy (the Department) in order to qualify for a property tax exemption. The bill also requires the Department to promulgate regulations requiring all such owners and operators to submit decommissioning and site reclamation plans. (19105606D-S1)

*Stormwater*

**HB 2154** (Stolle) (HAG) authorizes any land-disturbing activity that is eligible to take place pursuant to technical criteria that were adopted by the State Water Control Board prior to July 1, 2014, to be governed by such criteria until July 1, 2024. Current regulations grandfather such activities until July 1, 2019. (19104017D)

**HB 2361** (Jones, S.C.) (HAG) provides that beginning July 1, 2019, all land-disturbing activities that are regulated pursuant to the Stormwater Management Act shall meet the technical criteria for stormwater management that were adopted by the State Water Control Board during 2011 and became effective July 1, 2014. Under current regulations, certain projects are grandfathered under the technical criteria that applied prior to July 1, 2014. (19104018D)

**SB 1400** (Petersen) (SLG) authorizes any locality, by ordinance, to authorize contracts to provide loans for the initial acquisition and installation of stormwater management improvements with free and willing property owners of both existing properties and new construction. Current law authorizes such contracts only for clean energy improvements. The bill removes an exclusion for residential dwellings with fewer than five dwelling units and condominium projects from certain requirements related to a voluntary special assessment lien that secures such a loan. (19101646D)

**SB 1559** (Lewis) (SLG) authorizes any locality, by ordinance, to authorize contracts to provide loans for the initial acquisition and installation of shoreline resiliency improvements with free and willing property owners of both existing properties and new construction. Current law authorizes such contracts only for clean energy improvements. (19102285D)

### **Health and Human Services**

**HB 1663** (Edmunds) (HGL) provides that no food establishment that is exempt from taxation under § 501(c)(3) of the Internal Revenue Code shall be required to employ a certified food protection manager. (19105081D)

**HB 1735** (Robinson) (HRUL) establishes the Commission on Student Behavioral Health as a legislative branch commission. The purpose of the Commission shall be to (i) assess the efficacy of developing and implementing a statewide behavioral health and suicide prevention hotline that students may use to report threats of violence or receive real-time counseling services; (ii) review the current school counselor-to-student ratio, and whether the realignment of counseling responsibilities proposed by the House Select Committee on School Safety is improving schools' ability to provide counseling services to students; (iii) review the current roles and responsibilities of school nurses, psychologists, and social workers in schools and determine whether a realignment of responsibilities could improve or streamline behavioral health services offered to students; (iv) evaluate the efficacy and costs of providing enhanced behavioral health services in schools delivered through partnerships established between school divisions and local departments of social services and community services boards; (v) assess the effectiveness of de-escalation and other alternative disciplinary policies when interacting with students suffering from behavioral health challenges; (vi) examine the value of additional teacher training requirements on student behavioral health, such as mental health first aid; and (vii) examine other topics related to student behavioral health identified by the Commission. The Commission shall consist of 12 members as follows: seven members of the House of Delegates, of whom two shall be members of the House Committee on Health, Welfare and Institutions, two shall be members of the House Committee on Education, two shall be members of the House Committee on Appropriations, and one shall be a member at-large, to be appointed by the Speaker of the House of Delegates; and five members of the Senate, of whom two shall be members of the Senate Committee on Education and Health, two shall be members of the Senate Committee on Finance, and one shall be a member at-large, to be appointed by the Senate Committee on Rules. The Commission may appoint, employ, and remove an executive director and such other persons as it deems necessary and determine their duties and fix their salaries or compensation within the amounts appropriated therefor. The Commission may also employ experts who have special knowledge of the issues before it. All agencies of the Commonwealth shall provide assistance to the Commission, upon request. The bill has an expiration date of July 1, 2021. (19101085D)

**HB 1986** (Bell, Richard P.) (Reported from HED)/**SB 1314** (Hanger) (Passed Senate; HED) requires that any child who is admitted to a state hospital or state mental health facility for inpatient treatment shall, if appropriate, participate in any education and training program in such state hospital or state mental health facility unless such child has been excused from attendance at school attendance due to a bona fide religious training or belief. (19105308D-H1, 19101466D)

**HB 2203** (Filler-Corn) (HHWI) repeals the sunset and contingency expiration of the requirement that the following individuals undergo fingerprint-based national criminal history background checks: (i) applicants for employment by, employees of, applicants to serve as volunteers with,

and volunteers with any licensed family day system, child day center exempt from licensure pursuant to § 63.2-1716, registered family day home, or family day home approved by a family day system; (ii) applicants for licensure as a family day system, registration as a family day home, or approval as a family day home by a family day system, as well as agents of such applicants and any adult living in such family day home; and (iii) individuals who apply for or enter into a contract with the Department of Social Services under which a child day center, family day home, or child day program will provide child care services funded by the Child Care and Development Block Grant Act, as well as the applicant's current or prospective employees and volunteers, agents, and any adult living in the child day center or family day home. (19101796D)

**HB 2238** (McQuinn) (Reported from HHWI) adds the category of previously unidentified cemetery to the laws allowing for the removal of remains from graveyards or family cemeteries that have been abandoned or are unused and neglected by their owners. The bill includes technical amendments. (19102311D)

**HB 2280** (Head) (Reported from HHWI) adds to the list of programs that are not considered child day programs and are not subject to licensure (i) programs of recreational activities offered by a local government, staffed by local government employees, and attended by school-age children and (ii) programs offered by a local school division, operated for no more than four hours per day, staffed by local school division employees, and attended by children who are at least four years of age and are enrolled in public school or a preschool program within such school division. Under law that takes effect July 1, 2019, such programs are considered child day programs that are exempt from licensure and subject to certain health and safety requirements administered by the Department of Social Services. Under the provisions of the bill, however, such child day programs shall remain subject to safety and supervisory standards established by the local government or school division offering the program. (19103931D)

**HB 2282** (Filler-Corn) (Reported from HHWI) allows the Board of Counseling to promulgate regulations for the issuance of temporary licenses to individuals engaged in a counseling residency for the purpose of meeting the Board's licensure requirement for postgraduate counseling practice during a supervised residency period. (19105443D-H1)

**HB 2296** (Leftwich) (HCT)/**SB 1302** (Barker) (SCT) requires a person who alleges that the website of a bank, trust company, savings institution, or credit union does not comply with applicable law regarding its accessibility by the vision impaired or hearing impaired to provide such entity with notice of the alleged violation at least 120 days prior to filing a civil cause of action. If the entity cures the defect within the 120 days, then the court shall dismiss the action. The bill also requires the court to dismiss a cause of action filed after the defendant has cured the defect and award reasonable costs and attorney fees to the defendant. (19103886D, 19104075D)

**HB 2397** (Lopez) (HHWI) provides that a person who is otherwise eligible to receive Temporary Assistance for Needy Families (TANF) shall not be denied assistance solely because he has been convicted of a felony offense of possession of a controlled substance, provided that he complies

with all obligations imposed by the court and the Department of Social Services and is actively engaged in or has completed a substance abuse treatment program. (19102526D)

**HB 2652** (Hope) (HHWI) directs the Board of Behavioral Health and Developmental Services to amend regulations governing licensed providers to require every licensed provider to provide a truthful statement regarding the character, ability, and fitness for employment of a current or past employee or other individual currently or previously associated with the provider in a capacity that requires a criminal history background check to any other licensed provider with which the current or past employee has applied for employment or to fill a role that requires a criminal history background check upon receipt of a request for such information from the other licensed provider and written consent to the disclosure of such information executed by the current or past employee or other individual currently or previously associated with the provider in a capacity that requires a criminal history background check. (19102852D)

**HB 2798** (Garrett) (HHWI) requires the Commissioner of Health, in cooperation with the Bureau of Insurance, to collect health claims data from certain insurers, corporations, managed care organizations, third-party administrators, and employee welfare benefit plans whose employer has opted-in to the All-Payer Claims Database, the Department of Medical Assistance Services, state government health insurance plans, local government health insurance plans, and federal health insurance plans. The bill provides that employers that maintain an employee welfare benefit plan may agree to participate in the All-Payer Claims Database and provides a process for such agreement. The bill adds members to the advisory committee to the nonprofit organization that administers the All-Payer Claims Database. The bill requires the Commissioner of Health to establish a data release committee to review and approve requests for access to data and prohibits the release of data without the approval of such committee. The bill requires the nonprofit organization to ensure that data is timely submitted to the All-Payer Claims Database and authorizes the Board of Health to assess a civil penalty on entities not in compliance. (19104575D)

**HB 2521** (Rasoul) (Reported from HHWI) directs the Board of Social services to amend regulations governing staffing of assisted living facility units with residents who (i) have serious cognitive impairment due to a primary psychiatric diagnosis of dementia or any other diagnosis and (ii) are unable to recognize danger or protect their own safety and welfare to create an exception to certain staffing requirements for overnight hours. (19104765D-H1)

**HB 2546** (Robinson) (HHWI) directs the Department of Health to establish a Maternal Mortality Review Team to systematically review all pregnancy-associated deaths and pregnancy-related deaths, as defined in the bill, occurring in the Commonwealth and (i) determine the rate of pregnancy-associated and pregnancy-related deaths in the Commonwealth; (ii) identify risk factors of pregnancy-associated or pregnancy-related deaths; (iii) identify other factors contributing to pregnancy-associated and pregnancy-related deaths, including delayed diagnosis of medical conditions, inadequate medical treatment, failure of health care providers to follow basic safety procedures, or other medical or nonmedical errors; and (iv) develop recommendations for prevention and intervention programs to reduce the rate of pregnancy-associated and pregnancy-related deaths in the Commonwealth. The bill also requires certain

health care providers, law-enforcement officers, funeral directors, or other persons having knowledge of pregnancy-associated and pregnancy-related deaths to report such deaths. (19102443D)

**HB 2560** (Pillion) (HHWI) directs local departments of social services to foster, when practicable, the creation, maintenance, and coordination of hospital and community-based multidisciplinary teams focused on the abuse and exploitation of adults 60 years of age or older or 18 years of age or older who are physically or mentally incapacitated. These teams may do the following, as practicable: (i) assist the local department of social services in identifying abused and exploited adults; (ii) coordinate medical, social, and legal services for abused and exploited adults and their families; (iii) develop innovative programs for detection and prevention of the abuse and exploitation of adults; (iv) promote community awareness and action to address adult abuse and exploitation; and (v) disseminate information to the general public regarding the problem of adult abuse and exploitation, strategies and methods for preventing such abuse, and treatment options for abused and exploited adults. The bill also allows the attorney for the Commonwealth in each jurisdiction to establish a multidisciplinary adult abuse and exploitation response team to review cases of abuse and exploitation of adults. Such multidisciplinary team may be established separately or in conjunction with any already existing multidisciplinary team. (19102355D)

**HB 2581** (Kory) (HHWI) directs the Department of Health to establish a Maternal Mortality Review Team to review all pregnancy-associated deaths and pregnancy-related deaths, as defined in the bill, occurring in the Commonwealth in a systematic way and (i) prepare a de-identified case summary for each case; (ii) determine the rate of pregnancy-associated and pregnancy-related deaths in the Commonwealth, including rates of such deaths among different demographic groups; (iii) identify risk factors of pregnancy-associated or pregnancy-related deaths and factors contributing to disparities in rates of such deaths among demographic groups; and (iv) recommend components of prevention and intervention programs to reduce the rate of pregnancy-associated and pregnancy-related deaths in the Commonwealth, including programs (a) for the education and training of health care providers providing services to women who are pregnant or who have been pregnant within the previous year and (b) specifically targeted at reducing racial or other disparities in rates of pregnancy-associated and pregnancy-related deaths in the Commonwealth. The bill also requires reporting of pregnancy-associated and pregnancy-related deaths by certain health care providers, law-enforcement officers, funeral directors, or other persons having knowledge of such deaths and directs the Department to establish a program for the reduction of pregnancy-associated and pregnancy-related deaths in the Commonwealth. (19100313D)

**HB 2749** (Poindexter) (HHWI) establishes penalties for failure to comply with restrictions on use of TANF cash benefits. (19104482D)

**SB 1000** (Stanley) (Senate Floor) directs the Virginia Community College System (VCCS) to establish and administer a two-year Temporary Assistance for Needy Families (TANF) Scholarship Pilot Program (the Program), beginning in 2019, for the purpose of providing access to postsecondary educational opportunities to students living in poverty. The Program would

provide scholarships to select comprehensive community colleges in the maximum amount of \$4,000 per year to 200 selected students who meet TANF eligibility requirements. The Program would be funded by the unexpended balance in federal TANF block grant funds. The bill directs VCCS to report to the Governor and the General Assembly no later than December 1 of each year of the Program regarding the effectiveness of and other information about the Program. (19100088D)

**SB 1104** (Peake) (SFIN) provides that the state pool of funds for community policy and management teams may be used for residential or nonresidential services in a public school setting and to provide services to children placed in public residential facilities or public special education day schools in addition to such private facilities and private special education day schools as provided in current law. (19101619D)

**SB 1253** (Reeves) (SRSS) requires local departments of social services to request the placement of a security freeze on the credit report or record of any child who has been in foster care for at least six months in order to prevent cases of identity theft and misuse of personal identifying information. The bill directs local departments to request the removal of such security freezes upon the child's removal from foster care. The bill allows local departments, with the child's consent, to request the removal of a security freeze placed on the credit report or record of a child who continues to receive foster care or independent living services beyond his eighteenth birthday; however, in such instances, the local department is required to conduct annual credit checks on the child. (19101851D)

**SB 1289** (Edwards) (Passed Senate; HHWI) establishes a process by which the Board of Pharmacy, an authorized agent of the Board, or law enforcement can seize and place under seal controlled substances and prescription devices that are owned or possessed by a person or entity when the registration, license, permit, or certificate authorizing such ownership or possession is suspended or revoked. The bill also provides procedures and requirements for the transfer and disposal of sealed controlled substances and prescription devices if subject to forfeiture. The bill provides that the period in which the Director of the Department of Health Professions, his authorized agent, or a law-enforcement officer may properly dispose of the seized drugs and devices in the event the owner has not claimed and provided for the proper disposition of the property is 60 days from notice of seizure. Under current law, such period is six months from notice of seizure. (19101806D)

**SB 1570** (Lewis) (SRSS) creates a central registry of founded complaints of adult abuse, neglect, and exploitation to be maintained by the State Department of Social Services. The bill establishes (i) investigation requirements for local departments of social services related to complaints of adult abuse, neglect, and exploitation; (ii) record retention and disclosure requirements for the Department and local departments; (iii) notice requirements related to findings by local departments and central registry entries; and (iv) an appeals process to contest the findings of a local department related to founded reports of adult abuse, neglect, or exploitation. (19102290D)

*Adult Protective Services*

**HB 2132** (Murphy) (HCT) expands the crime of abuse and neglect of an adult to include abuse and neglect of vulnerable adults, defined in the bill as persons 60 years of age or older. Current law applies only to incapacitated adults, defined as persons 18 years of age or older who are impaired by reason of mental illness, intellectual disability, physical illness or disability, advanced age, or other causes to the extent the adult lacks sufficient understanding or capacity to make, communicate, or carry out reasonable decisions concerning his well-being. The bill also expands the class of victims of the crime of financial exploitation of incapacitated persons to include persons incapacitated due to physical illness or disability, advanced age over the age of 60, or other causes that prevent such persons from understanding the nature or consequences of the financial transaction involved in an offense against such person. The current law applies only to victims who suffer from mental incapacity. (19104118D)

*Child Protective Services*

**SB 1339** (Reeves) (SFIN) makes numerous changes to the laws governing the provision of foster care services in the Commonwealth. Among other things, the bill (i) allows the Commissioner of Social Services to develop and implement a corrective action plan for or assume temporary control over the foster care services of a local board of social services upon determining that the local board (a) has failed to provide foster care services or make placement and removal decisions in accordance with applicable laws or regulations or (b) has taken any action that poses a substantial risk to the health, safety, or well-being of any child under its supervision and control; (ii) requires the Commissioner to create within the State Department of Social Services (the Department) a foster care health and safety director position; (iii) directs the Commissioner to establish and maintain a confidential hotline to receive reports and complaints from foster parents and other persons regarding violations of laws or regulations applicable to foster care and any other matters related to the health, safety, or well-being of children in foster care; (iv) directs the Department to develop and implement a more reliable, structured, and comprehensive case review and quality improvement process to monitor and improve foster care services provided by local boards and departments of social services; and (v) requires the Department to establish and update annually a caseload standard that limits the number of foster care cases that may be assigned to each foster care caseworker. (19102687D)

**HB 1953** (Campbell, J.) (Passed House)/**SB 1416** (Mason) (SRSS) provides that whenever an appeal of a finding by a local department of social services is made and a criminal investigation is also commenced against the appellant for the same conduct involving the same victim as investigated by the local department, the appeal process shall automatically be stayed until the criminal investigation is closed or, in the case of a criminal investigation that is not completed within 180 days of the appellant's request for an appeal, for 180 days. (19103324D, 19102940D)

**SB 1435** (McClellan) (SRSS) allows the Commissioner of Social Services to issue a summary order of suspension of the license of any child welfare agency when conditions or practices exist that pose an immediate and substantial threat to the health, safety, and welfare of the children receiving care. The bill allows the Commissioner, in issuing an order of summary suspension, to

suspend the license of the child welfare agency or to suspend only certain authority of the child welfare agency to operate, including the authority to provide certain services or perform certain functions that the Commissioner determines should be restricted or modified in order to protect the health, safety, or welfare of the children receiving care. The bill establishes notice, hearing, appeal, and posting requirements for such summary suspensions. (19102035D)

### *Financial Exploitation*

**SB 1175** (McPike) (SRSS) requires any employee, agent, qualified individual, or representative of a bank, trust company, savings institution, industrial loan association, consumer finance company, credit union, investment company, investment advisor, securities firm, accounting firm, or insurance company to report a matter giving reason to suspect the financial exploitation by any person of an adult who is a client or customer of the financial institution. The report is required to be made to the local department of social services for the county or city wherein the adult resides or wherein the exploitation is believed to have occurred or to the adult protective services hotline, unless he notifies the person in charge of the financial institution or his designee, who shall report such information in accordance with the financial institution's policies and procedures for reporting such matters. This measure replaces an existing provision that authorizes any financial institution staff who suspects that an adult has been exploited financially to report the suspected exploitation. (19103216D)

**SB 1490** (Obenshain) (SRSS) authorizes financial institution staff to refuse to execute a transaction, to delay a transaction, or to refuse to disburse funds if the financial institution staff (i) believes in good faith that the transaction or disbursement may involve, facilitate, result in, or contribute to the financial exploitation of an aged or incapacitated adult or (ii) makes, or has actual knowledge that another person has made, a report to the local department of social services or adult protective services hotline stating a good faith belief that the transaction or disbursement may involve, facilitate, result in, or contribute to the financial exploitation of an aged or incapacitated adult. (19104181D)

### **Land Use**

**HB 2310** (Hayes) (House Floor) authorizes any locality to regulate the activity on, or use or development of, a flood plain in a manner consistent with any state and federal flood plain management programs and requirements. (19102214D-E)

**HB 2375** (Roem) (House Floor) provides that if a local governing body reduces the time period by which a planning commission shall review a proposed zoning ordinance amendment to less than 100 days, the governing body shall hold at least one public hearing on the proposed reduction of the commission's review period and publish notice of such public hearing at least two weeks prior to the public hearing date. (19102117D-E)

**HB 2420** (Bell, Richard P.) (HCCT) provides that a wall built on residential property shall be grandfathered as a valid nonconforming use, and the wall shall not be subject to removal solely due to such nonconformity, in any instance where (i) a residential property owner sought local

government approval prior to 2008 for construction of a wall on the owner's property, (ii) the property owner was informed by a local official that such wall required no permit and that the structure would comply with the zoning ordinance, (iii) the wall was thereafter constructed, (iv) the locality subsequently informed the property owner that the wall was illegal, and (v) such a wall, had it been constructed as described in clauses (ii) and (iii) after 2017, would be considered a valid nonconforming use not subject to removal. (19100765D)

**HB 2779** (Edmunds) (HCCT) increases the maximum number of enterprise zones from 30 to 50. The measure also authorizes the Governor to renew an enterprise zone designation for an additional five years if (i) the initial 10-year designation period and the two five-year renewal periods have expired and (ii) the locality in which the zone is located scores below the statewide average on any two of the three distress factors used when determining locality-wide need and impact of a zone designation. (19104509D)

**SB 1699** (Peake) (SLG) authorizes a locality, through provisions in a subdivision ordinance or zoning ordinance, subject to certain terms and conditions included in the ordinance, to grant a developer of land the option of either (i) dedicating land for and constructing a sidewalk as may be required by the locality or (ii) contributing funds equivalent to the cost of the dedication of land for and construction of a sidewalk on the property to a sidewalk fund, maintained and administered by the locality. Such sidewalk fund may be used by the governing body for sidewalk improvements in the locality. (19104033D)

### **Opioids**

**SB 1349** (McDougle) (SCT) eliminates the requirement to substantially cooperate with law enforcement in any investigation of any criminal offense reasonably related to an overdose in order to qualify for an affirmative defense from prosecution for the unlawful purchase, possession, or consumption of alcohol, possession of a controlled substance, possession of marijuana, intoxication in public, or possession of controlled paraphernalia. (19103528D)

### **Procurement**

**HB 2475** (Torian) (HGL) requires that competitive negotiation be used for construction projects where the project cost is expected to be more than \$500,000. Under current law, construction may be procured only by competitive sealed bidding, except (i) when procured by a public body on a fixed price design-build basis or construction management basis as permitted by law or (ii) when procured by a public body for the construction of highways and any draining, dredging, excavation, grading, or similar work upon real property under certain circumstances. The bill also exempts contracts for the construction of public works where the project cost is expected to be more than \$500,000 from certain provisions relating to state agency agreements with labor organizations. (19104157D)

**Public Safety/Criminal Justice**

**HB 1771** (Mullin) (HCT) provides that juveniles who have been screened for needing community-based services using an evidence-based assessment protocol are eligible to receive community-based services as provided by the Virginia Juvenile Community Crime Control Act (§ 16.1-309.2 et seq.) (the Act). The bill also requires the total number of children who have been screened for needing community diversion or community-based services using an evidence-based assessment protocol to be factored into the funding determination for community diversion services as provided for by the Act. (19100033D)

**HB 1933** (Hope) (House Floor) establishes a process for the sheriff or administrator in charge of a local or regional correctional facility to petition a court to authorize medical or mental health treatment for a prisoner in such facility who is incapable of giving informed consent for such treatment. The process parallels the existing process for the Director of the Department of Corrections to seek authorization to provide involuntary treatment to prisoners in state correctional facilities. The bill provides that the treatment ordered may be provided within a local or regional correctional facility if such facility is licensed to provide such treatment. If statutory procedures are followed, the service provider does not have liability based on lack of consent or lack of capacity to consent unless there is injury or death resulting from gross negligence or willful and wanton misconduct. (19104834D-H1)

**HB 2412** (Adams) (HCT) requires the owner of fleet vehicles to obtain consent of the vehicle operator before installing or placing an electronic device on the fleet vehicle to track it. (19100048D)

**HB 2782** (Campbell, R.) (HCCT) provides that in any instance in which a sheriff's deputy or police officer of a locality incurs medical expenses for treatment by a health care provider for an incident that occurs in the line of duty as the direct or proximate result of the performance of his duty, the locality shall instruct the health care provider that all of its billings for such medical expenses shall be directed to the locality, and not to the sheriff's deputy or police officer, for payment as appropriate. (19104589D)

**SB 1207** (Stuart) (Reported from SCT) defines a school protection officer as a retired law-enforcement officer hired on a part-time basis by the local law-enforcement agency to provide law-enforcement and security services to Virginia public elementary and secondary schools. The bill exempts school protection officers from the minimum training standards for law-enforcement officers. (19105551D-S1)

**SB 1645** (Boysko) (SCT) requires the Department of State Police to include information regarding the use of force by a state or local law-enforcement officer in the annual Crime in Virginia report when the use of force involves (i) a fatality to a civilian; (ii) serious bodily injury to a civilian; or (iii) in the absence of either death or serious injury, a discharged firearm by a state or local law-enforcement officer at or in the direction of a person. The bill specifies information required to be included in such incident report. The bill subjects the Department of

Corrections and administrators of local correctional facilities and regional jails to similar reporting requirements. (19104536D)

*Body-Worn Cameras*

**SB 1033** (Stanley) (SCT) provides a procedure for a defendant to request the inspection and the copying or photographing of any body-worn camera recordings that are within the possession, custody, or control of the Commonwealth. The bill provides that the Commonwealth may designate any body-worn camera recording subject to disclosure as Counsel Only Material and that any unlawful reproduction or dissemination of such designated recordings is punishable as a Class 1 misdemeanor. The bill provides a retention schedule for such recordings and provides that such recordings shall not be considered a public record for the purpose of the Virginia Public Records Act (§ 42.1-76 et seq.). The bill requires all such requests for body-worn camera recordings to comply with the Virginia Freedom of Information Act (§ 2.2-3700 et seq.). (19100220D)

*Firearms*

**SB 1158** (Black) (Reported from SFIN) allows any person who is otherwise eligible to obtain a resident concealed handgun permit to carry a concealed handgun without a permit anywhere he may lawfully carry a handgun openly within the Commonwealth. (19101577D)

*Unmanned Aircraft Systems*

**SB 1507** (Carrico) (SCT) provides that a law-enforcement officer may deploy an unmanned aircraft system (i) to aeri ally survey a primary residence to formulate a plan to execute an arrest warrant for a felony offense or (ii) to locate a person sought for arrest when such person has fled from a law-enforcement officer and a law-enforcement officer remains in hot pursuit of such person. (19101909D)

**Taxation**

**HB 2715** (Rush) (HCT) transfers from the attorney for the Commonwealth to the Department of Taxation the duty to cause proper proceedings to be instituted for the collection and satisfaction of all fines, costs, forfeitures, penalties, and restitution. (19104964D)

*Internet Sales Tax*

**HB 1722** (Bloxom) (HFIN) directs the Department of Taxation (the Department) to require a remote seller to collect sales and use tax if the seller has more than \$100,000 in annual gross revenue from sales in Virginia or at least 200 sales transactions in Virginia and requires a marketplace facilitator, which enables marketplace sellers to sell in Virginia through its marketplace, to collect sales and use tax if its annual gross revenue from facilitated sales in Virginia exceeds \$100,000 or it facilitates at least 200 sales transactions in Virginia. The bill provides that the obligation of remote sellers and marketplace facilitators to collect sales and use

tax shall not apply to transactions occurring before July 1, 2019. The bill provides that in administering remote sales and use tax collection, the Department shall provide information to remote sellers to allow them to identify state and local tax rates and exemptions. For auditing purposes, the Department is directed to allow a remote seller to complete a single audit covering all localities. The bill requires the Department to give remote sellers at least 30 days' notice of any change in tax rate. The bill provides that if a remote seller or marketplace facilitator collects an incorrect amount of tax, it shall be relieved of liability for failure to collect the correct amount if the error is the result of its reliance on information provided by Virginia. The bill also relieves a marketplace facilitator of liability if it collects an incorrect amount of tax based on certain incorrect information provided by a seller or purchaser. The bill repeals several contingent provisions of previous related bills that would take effect if the United States Congress enacted legislation related to remote sales and use tax collection. The bill contains technical corrections. (19102020D)

**SB 1083** (Ruff) (SFIN) directs the Department of Taxation (the Department) to require a remote seller to collect sales and use tax if the seller has more than \$100,000 in annual gross revenue from sales in Virginia or at least 200 sales transactions in Virginia and requires a marketplace facilitator, which enables marketplace sellers to sell in Virginia through its marketplace, to collect sales and use tax if its annual gross revenue from facilitated sales in Virginia exceeds \$100,000 or it facilitates at least 200 sales transactions in Virginia. The bill provides that the obligation of remote sellers and marketplace facilitators to collect sales and use tax shall not apply to transactions occurring before July 1, 2019. The bill provides that in administering remote sales and use tax collection, the Department shall provide information to remote sellers to allow them to identify state and local tax rates and exemptions. For auditing purposes, the Department is directed to allow a remote seller to complete a single audit covering all localities. The bill requires the Department to give remote sellers at least 30 days' notice of any change in tax rate. The bill provides that if a remote seller or marketplace facilitator collects an incorrect amount of tax, it shall be relieved of liability for failure to collect the correct amount if the error is the result of its reliance on information provided by Virginia. The bill also relieves a marketplace facilitator of liability if it collects an incorrect amount of tax based on certain incorrect information provided by a seller or purchaser. The bill repeals several contingent provisions of previous related bills that would take effect if the United States Congress enacted legislation related to remote sales and use tax collection. The bill contains technical corrections. (19101890D)

**SB 1294** (Howell) (SFIN) directs the Department of Taxation (the Department) to require a remote seller to collect sales and use tax if the seller has more than \$100,000 in annual gross revenue from sales in Virginia or at least 200 sales transactions in Virginia and requires a marketplace facilitator, which enables marketplace sellers to sell in Virginia through its marketplace, to collect sales and use tax if its annual gross revenue from facilitated sales in Virginia exceeds \$100,000 or it facilitates at least 200 sales transactions in Virginia. The bill provides that the obligation of remote sellers and marketplace facilitators to collect sales and use tax shall not apply to transactions occurring before July 1, 2019. The bill provides that in administering remote sales and use tax collection, the Department shall provide information to remote sellers to allow them to identify state and local tax rates and exemptions. For auditing

purposes, the Department is directed to allow a remote seller to complete a single audit covering all localities. The bill requires the Department to give remote sellers at least 30 days' notice of any change in tax rate. The bill provides that if a remote seller or marketplace facilitator collects an incorrect amount of tax, it shall be relieved of liability for failure to collect the correct amount if the error is the result of its reliance on information provided by Virginia. The bill also relieves a marketplace facilitator of liability if it collects an incorrect amount of tax based on certain incorrect information provided by a seller or purchaser. The bill repeals several contingent provisions of previous related bills that would take effect if the United States Congress enacted legislation related to remote sales and use tax collection. The bill contains technical corrections. (19103666D)

### **Transportation**

**HB 2269** (Poindexter) (Reported from HAG) prohibits the Governor or any state agency from adopting any regulation establishing or bringing about the participation by the Commonwealth in the Transportation and Climate Initiative or any other regional transportation sector emissions program. The bill provides that the Commonwealth shall be allowed to participate in such a regional transportation sector emission program if the House of Delegates and the Senate of Virginia each adopt a resolution by two-thirds vote that specifically references and approves the regulatory text proposed for adoption by a state agency. (19102723D)

**HB 2313** (Hodges) (Reported from HTRAN) requires the Commissioner of Highways to (i) require any official who approves a highway access project to certify such project's consistency with the comprehensive highway access management standards and such official's due diligence in reviewing the project and (ii) establish an appeals process whereby an approved or denied highway access project can be reviewed by a different official. (19105149D-H1)

**SB 1768** (Mason) (SCT) prohibits any use of a handheld personal communications device by a person operating a moving motor vehicle in a highway work zone, with certain exceptions. The bill provides that a violation is a Class 1 misdemeanor. Current law prohibits only the reading of an email or text message on the device and manually entering letters or text in the device as a means of communicating, with the same exceptions. (19104680D)

**HJ 683** (LaRock) (HPE) requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. The amendment directs that revenues dedicated to Transportation Funds on January 1, 2020, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Transportation Funds. The amendment limits the use of Transportation Funds moneys to transportation and related purposes. The amendment specifies that the General Assembly may borrow from the Transportation Funds for other purposes only by a vote of two-thirds of the members elected to each house and that the loan must be repaid with reasonable interest within four years. (19100216D)

**SB 1762** (Sturtevant) (SLG) requires a locality to submit to the Department of Transportation a traffic impact analysis for any proposed rezoning application for a new solid waste management facility. (19102135D)

**SB 1765** (Stanley) (STRAN) clarifies that public safety agencies may, following a motor vehicle accident or incident, restore the highway to its condition prior to the accident. The bill does not affect current law authorizing the removal of vehicles, cargo, and personal property without the consent of the owner or carrier. The bill clarifies that the owner or carrier of the vehicle, cargo, or personal property removed is responsible for paying all costs billed for removing the property and restoring the highway and adds individuals or entities acting at the request of State Police or a local law-enforcement agency to the list of entities that must be reimbursed or paid. Current law provides for the reimbursement of such costs. (19104289D)

### *Parking Ordinances*

**HB 1818** (Delaney) (HTRAN) authorizes any county or town with a population of at least 40,000 to provide by ordinance that law-enforcement officers, other uniformed employees of the locality, and uniformed personnel under contract with the locality may issue a summons or parking ticket for a violation of the locality's ordinances or regulations regarding the parking, stopping, or standing of vehicles. Current law creates such authority for any city with a population of at least 40,000. (19101337D)

**SB 1044** (Black) (Passed Senate; HTRAN) authorizes any county or town with a population of at least 40,000 to provide by ordinance that law-enforcement officers, other uniformed employees of the locality, and uniformed personnel under contract with the locality may issue a summons or parking ticket for a violation of the locality's ordinances or regulations regarding the parking, stopping, or standing of vehicles. Current law creates such authority for any city with a population of at least 40,000. (19105114D-S1)

### *Seat Belts*

**HB 1710** (Krizek) (HAPP) requires the Board of Education to make regulations to require each new public school bus purchased for the transportation of students to be equipped with a seat belt consisting of a lap belt and shoulder strap or harness in every seat. The bill requires each school board to ensure that no later than July 1, 2037, each school bus that it uses for the transportation of students is equipped with a seat belt in every seat. (19100952D)

### **“Watch List”/May Have State Revenue/Policy Implications**

### **Miscellaneous**

**HB 1752** (Krizek) (Passed House; SEH) prohibits local school boards from requiring students to attend school on the Tuesday after the first Monday in November. (19100995D)

**HB 1764** (Carter) (HRUL) repeals the provisions of the Code of Virginia that, among other things, provide that any employee of the Commonwealth, a locality, or other political subdivision who strikes or willfully refuses to perform the duties of his employment is deemed to have terminated his employment and is thereafter ineligible for employment. (19101574D)

**HB 1806** (Carter) (HRUL) repeals the provisions of the Code of Virginia that, among other things, prohibit any agreement or combination between an employer and a labor union or labor organization whereby (i) nonmembers of the union or organization are denied the right to work for the employer, (ii) membership to the union or organization is made a condition of employment or continuation of employment by such employer, or (iii) the union or organization acquires an employment monopoly in any such enterprise. The measure also authorizes a collective bargaining agreement to provide for an agency shop or a union shop. (19101572D)

**SB 1255** (Ruff) (Passed Senate; HAPP) creates the Major Headquarters Workforce Grant Fund. A qualified e-commerce company that makes a capital investment of at least \$2 billion in a major headquarters facility in Arlington County and that creates at least 25,000 new full-time jobs with an average annual wage of \$150,000 will be eligible for up to \$550 million in grants from the Fund. A qualified company may also be eligible for an additional \$200 million in grants for creating an additional 12,850 new full-time jobs. (19102500D)

### Courts

**HJ 661** (Poindexter) (HRUL) directs the Virginia State Crime Commission to study the effects of changes in policies regarding the cash bail bond system on referrals to pretrial services agencies and costs associated with such referrals. (19103692D)

### Elections

**HB 1829** (Simon) (HPE) authorizes the governing body of a county or city to establish by ordinance a system of public campaign financing for elected local offices. The bill specifies certain requirements for a system of public campaign financing established by a governing body, including the provision of a public election fund to be administered by the treasurer of the county or city. A system of public campaign financing established by a county or city is permitted to more stringently regulate the campaign finance activity of participating candidates and shall be subject to regulation and oversight by the State Board of Elections to ensure its conformity with state law and policy to the extent practicable. (19101346D)

**HJ 670** (Landes) (HRUL)/**SJ 291** (DeSteph) (SRUL) requests the Secretary of Administration to oversee and develop a charter and directives for the State Board of Elections to form a working group to study implementation of electronic return of voted military-overseas ballots. In conducting its study, the State Board of Elections with the working group shall study and develop initial instructions and procedures which (i) consider issues related to accessibility, auditability, authentication, verification, and security through encryption, in order to ensure that any process implemented would guarantee the accuracy and integrity of voted military-overseas ballots, and (ii) recommend (a) security measures necessary to reasonably secure the transmission,

processing, and storage of voter data from interception and unauthorized access, (b) methods for verifying and authenticating the identity of the voter electronically when registering to vote and when requesting a ballot from and returning a ballot to the voter's jurisdiction, (c) methods for the encryption of voted ballots, and (d) a procedure for security reviews after an election. The study shall focus on implementation of electronic return of voted military-overseas ballots first as a limited pilot program in 2020, and later on a statewide basis. (19103799D, 19104220D)

### *Absentee Voting*

**HB 2682** (Sickles) (HPE) provides that any absentee ballot that is returned to the general registrar after the closing of the polls on election day but before noon on the third day after the election and postmarked on or before the date of the election shall be counted if the voter is found entitled to vote. The bill contains technical amendments. (19104578D)

**SB 1552** (Surovell) (SPE) provides that the alternative locations approved by the electoral boards for absentee voting in person prior to election day shall be in a public facility owned or leased by the city, the county, or a town within the county, at which all records concerning the absentee voters, the absentee ballots, both voted and unvoted, and any voting equipment in use at the location are adequately protected and secured. Currently, the law limits the electoral boards to approving alternative locations only in public buildings. (19100858D)

### *Redistricting*

**SJ 306** (Barker) (Reported from SPE) establishes the Virginia Redistricting Commission, a 16-member Commission tasked with establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly. The Commission consists of eight legislative members and eight citizen members. The legislative members consist of four members of the Senate of Virginia and four members of the House of Delegates, with equal representation given to the political parties having the highest and next highest number of members in their respective houses. The citizen members are selected by a selection committee consisting of five retired judges of the circuit courts of Virginia. The selection committee is tasked with adopting a process by which registered Virginia voters may apply to serve on the Commission and selecting from the applicants a list of 16 candidates. The amendment requires four of the candidates to be voters who affiliate with the political party receiving the highest number of votes for governor at the immediately preceding gubernatorial election, four candidates to be voters who affiliate with the political party receiving the next highest number of votes for governor at the immediately preceding gubernatorial election, and eight candidates to be voters who do not affiliate with any political party. The Speaker of the House of Delegates, the minority leader in the House of Delegates, and the majority and minority leaders in the Senate then strike names from the list until there is the final list of eight citizen members, two of whom affiliate with the political party receiving the highest number of votes for governor at the immediately preceding gubernatorial election, two of whom affiliate with the political party receiving the next highest number of votes for governor at the immediately preceding gubernatorial election, and four of whom do not affiliate with any political party. The Commission is required to submit to the General Assembly plans of districts for the Senate and

the House of Delegates of the General Assembly no later than 45 days following the receipt of census data and plans of districts for the United States House of Representatives no later than 60 days following the receipt of census data. In order to be submitted to the General Assembly for a vote, a plan must receive an affirmative vote of at least six of the eight legislative members and six of the eight citizen members. No amendments may be made to a plan by the General Assembly or the Governor. In the event that the Commission fails to submit a plan by its deadline, or the General Assembly fails to adopt a plan by its deadline, or the Governor fails to act on or vetoes a plan by his deadline, districts shall be decided by judicial decision. (19105499D-S1)

### *Split Precincts*

**SB 1087** (Obenshain) (Passed Senate; HPE) requires counties, cities, and towns to adjust local election district lines to coincide with congressional or state legislative district lines established by the General Assembly. Precincts are required to be wholly contained within a single congressional district, Senate district, House of Delegates district, or local election district, and local governing bodies are directed to establish precinct boundaries immediately after the completion of the General Assembly's decennial redistricting so that each precinct is so wholly contained. The bill provides that if a locality is unable to comply with this requirement it shall apply to the State Board of Elections for a waiver to administer a split precinct and the State Board may grant that waiver or direct the locality to create a precinct with fewer than the required number of registered voters, as it deems appropriate. (19104968D-S1)

### **Environment**

**SB 1212** (Newman) (SACNR) removes provisions authorizing a water improvement district to levy a tax on owners of land within the district. The bill removes the requirement that owners of land approving a referendum regarding assessment of a service charge also represent two-thirds of the land area in such district. The bill contains an emergency clause. (19101787D)

**HB 2621** (Ingram) (HCCT)/**SB 1398** (Stanley) (SLG) authorizes a locality, as a condition of approval of a site plan, to require an owner or developer of real property to enter into a written agreement to decommission certified solar energy equipment, facilities, or devices upon certain terms and conditions, including right of entry by the locality and financial assurance. The bill exempts a public utility from such requirements. (19104060D, 19104052D)

### *Stormwater*

**SB 1248** (Reeves) (Passed Senate; HCCT) authorizes a locality by ordinance to create a local Stormwater Management Fund consisting of appropriated local moneys for the purpose of granting funds to an owner of private property or a common interest community for stormwater management and erosion prevention. (19102694D-E)

**SB 1328** (Hanger) (SACNR) authorizes the Department of Environmental Quality (the Department), with the approval of the Secretary of Natural Resources, to designate a portion of

the moneys in the Stormwater Local Assistance Fund to provide matching grants to local governments that are not regulated under municipal separate storm sewer (MS4) permits for the planning, design, and implementation of stormwater best management practices. The bill directs the Department to prioritize grants for projects that are regional in scope. The bill directs the Department to seek stakeholder input and public comment in developing eligibility criteria and to submit such criteria by January 1, 2020, for consideration by the State Water Control Board. (19103935D)

### **Health and Human Services**

**HB 2731** (Edmunds) (HHWI) requires physicians to provide to each patient for whom a test for the presence of Lyme disease is ordered a written notice about Lyme disease, testing for Lyme disease, and the need for the patient to contact his physician with questions or concerns about Lyme disease. The bill also provides that licensees are immune from civil liability for providing such notice absent gross negligence or willful misconduct. The bill reinstates a requirement in the Code of Virginia that was effective from 2013 until its expiration on July 1, 2018. The provisions of this act shall expire on July 1, 2021. (19105570D)

### **Land Use**

**HB 2139** (Thomas) (House Floor) authorizes a locality to designate receiving areas or receiving properties that shall receive development rights only from certain sending areas or sending properties specified by the locality. The bill also authorizes a locality to provide for areas defined similarly to urban development areas in the ordinance relating to the transfer of development rights. Current law only authorizes inclusion of urban development areas. (19101605D)

**HB 2141** (Thomas) (HCCT) authorizes a local governing body, with respect to a service district, to construct, maintain, and operate such facilities and equipment as may be necessary or desirable to provide broadband and telecommunications services. (19103237D)

**HB 2364** (Knight) (HAG) amends the definition of "agritourism activity," for purposes of liability as well as the statutory limit on the imposition of restrictions by local governments, to include service as a wedding venue for not more than 12 weddings per calendar year, each wedding involving not more than 250 guests. (19100761D)

**SB 1260** (Sturtevant) (SLG) allows a planning commission to designate an area as a conservation area. Current law only allows a redevelopment and housing authority to make such designation. (19101491D)

**SB 1403** (Petersen) (Passed Senate; HCT) eliminates specific provisions for the assessment of costs in eminent domain proceedings where the condemnor is a public service company, public service corporation, railroad, or government utility corporation and provides that all costs shall be assessed in the same manner, regardless of the identity of the condemnor. (19102869D)

**Public Safety/Criminal Justice**

**HB 2424** (Levine) (HMP) requires localities to adopt and establish a written policy for the operation of a body-worn camera system, as defined in the bill, that conforms to the model policy established by the Department of Criminal Justice Services (the Department) prior to purchasing or deploying a body-worn camera system. The bill requires the Department to establish a model policy for the operation of body-worn camera systems and the storage and maintenance of body-worn camera system records. (19100257D)

*Firearms*

**SB 1012** (Chase) (Passed Senate; HMP) provides that any firefighter or person employed as emergency medical services personnel who was previously employed as a law-enforcement officer or as a member of the Virginia National Guard, Armed Forces of the United States, or Armed Forces Reserves of the United States may carry a concealed weapon throughout the Commonwealth without a permit, provided that such firefighter or person employed as emergency medical services personnel has been approved to carry a concealed handgun by his fire chief or emergency medical services chief. (19105018D-S1)

**School Safety**

**HB 1753** (Sickles) (HED) prohibits school boards from installing an electronic room partition in any school building unless such partition includes a contact pressure-sensitive safety edge whereby the partition automatically stops when it senses contact with any object other than the adjoining wall. (19100322D)

**HB 1787** (Ransone) (HCT)/**SB 1381** (McDougle) (SCT) adds (i) threats of death or bodily injury to another person communicated in writing to such person or member of such person's family and (ii) threats to commit serious bodily harm to persons on school property to the listing of offenses that a juvenile intake officer is required to report to the school division superintendent, when a petition is filed alleging that a juvenile student committed such an offense. (19101060D, 19101051D)

*Disorderly Conduct in Public Schools*

**SB 1107** (McClellan) (SCT) eliminates the Class 1 misdemeanor for disrupting willfully or while intoxicated, whether willfully or not, the operation of any school or any school activity conducted or sponsored by any school, if the disruption (i) prevents or interferes with the orderly conduct of the operation or activity or (ii) has a direct tendency to cause acts of violence by the person or persons at whom, individually, the disruption is directed. (19101854D)

*Medical Marijuana and School Policy*

**HB 1720** (Hurst) (HCT) permits any student who possesses a valid and unexpired written certification to use cannabidiol oil or THC-A oil that is issued by a licensed practitioner of

medicine or osteopathy to possess and use cannabidiol oil or THC-A oil on school property, on a school bus, or at a school-sponsored activity. The bill prohibits a school board from suspending or expelling from school attendance any such student who possesses or uses cannabidiol oil or THC-A oil on school property, on a school bus, or at a school-sponsored activity. (19105452D)

### **Taxation**

**HJ 676** (Filler-Corn) (HPE) provides that one motor vehicle of a veteran who has a 100 percent service-connected, permanent, and total disability shall be exempt from state and local taxes. The amendment provides that only automobiles and pickup trucks qualify for the exemption. (19103340D)

**SJ 278** (Reeves) (Reported from SPE) provides that one motor vehicle of a veteran who has a 100 percent service-connected, permanent, and total disability shall be exempt from state and local taxes. The amendment provides that only automobiles and pickup trucks qualify for the exemption. (19105271D-S1)

### **Transportation**

**HB 2465** (Collins) (HCCT) the bill requires that engineering safety analyses and monthly evaluations conducted by a locality related to traffic light signal photo-monitoring systems, commonly known as red-light cameras, be posted on such locality's website, if available. The bill requires the reporting of certain traffic incident and financial data. The bill requires localities to establish a 15-day probationary period during which only advisory letters are issued for recorded traffic light signal violations when such a system is implemented or expanded. The bill has a delayed effective date for localities with existing traffic light signal photo-monitoring systems. (19104071D)

**HJ 704** (Heretick) (HRUL) recognizes that public-private transportation partnership agreements that contain provisions prohibiting or frustrating the construction of non-tolled transportation facilities as alternatives to tolled facilities through economic disincentives are against public policy. (19103624D)

**SB 1296** (Barker) (STRAN) adds the Harry W. Nice Bridge, Sandy Hook Bridge, Brunswick Bridge, and Point of Rocks Bridge to the Potomac River bridges subject to the Potomac River Bridge Towing Compact to facilitate the prompt and orderly removal of disabled and abandoned vehicles from the bridges by giving the District of Columbia, Maryland, and Virginia appropriate authority anywhere on the bridges. (19102225D)

### *Distracted Driving*

**HB 1811** (Collins) (HCT) expands the prohibition on using a handheld personal communications device while operating a motor vehicle to all uses unless the device is specifically designed to allow hands-free and voice operation and the device is being used in that manner. Current law prohibits only the reading of any email or text message and manually entering letters or text in

the device as a means of communicating. The bill expands the exemptions to include handheld personal communications devices that are used (i) for navigation or generating audio transmissions when the device is physically mounted to the vehicle; (ii) as an amateur radio or a citizens band radio; (iii) to activate, deactivate, or initiate a factory-installed feature or function on the vehicle; or (iv) for official Department of Transportation or traffic incident management services. (19101202D)

**SB 1154** (Black) (STRAN) requires the driver of a motor vehicle to (i) give full time and attention to the safe operation of the motor vehicle and (ii) exercise due care and decrease speed as necessary to avoid a collision with any person, vehicle, or other conveyance on or entering the highway. These violations, which are not encompassed by the current reckless driving statute, shall constitute traffic infractions. (19101562D)

**SB 1341** (Stuart) (STRAN) expands the prohibition on using a handheld personal communications device while operating a motor vehicle to all uses unless the device is specifically designed to allow hands-free and voice operation and the device is being used in that manner. Current law prohibits only the reading of any email or text message and manually entering letters or text in the device as a means of communicating. The bill expands the exemptions to include handheld personal communications devices that are used (i) for navigation or generating audio transmissions when the device is physically mounted to the vehicle; (ii) as an amateur radio or a citizens band radio; (iii) to activate, deactivate, or initiate a factory-installed feature or function on the vehicle; or (iv) for official Department of Transportation or traffic incident management services. (19104282D)

#### *Dulles Greenway*

**HB 2799** (LaRock) (HGL) amends the powers and responsibilities of the State Corporation Commission (SCC) to regulate toll road operators under the Virginia Highway Corporation Act of 1988. The measure adds requirements that toll rates not materially discourage the public's use of the toll road, that the cost of operating the toll road be reasonably apportioned across all toll road users based on the relative distance each class of user travels on the toll road such that the toll rates are established in a reasonable and nondiscriminatory manner in relation to the benefit obtained, and that toll rates shall provide the operator with no more than a reasonable return. In addition, the measure (i) requires the SCC, by October 1, 2019, to initiate an investigation into the tolls charged by all operators subject to the Act and to issue a ruling by April 1, 2020, on its investigation as to whether the current tolls charged by the operator comply with such new requirements; (ii) prohibits the SCC from using the fact that any incremental return resulting from increased traffic related to a relative change in potential toll users that is greater than zero on a cumulative basis as the sole basis for finding that the operator's return exceeds a reasonable level as specified in such new requirements, during any future complaint proceeding; (iii) requires the SCC, in its initial investigation, to develop a baseline from which it can measure the relative change in potential toll users and directs how the incremental return shall be computed; (iv) prohibits an operator from seeking a toll increase that attempts to raise its return above the reasonable level; (v) requires the full disclosure, in public financial reports to the SCC, of the details of any related party transactions; and (vi) establishes a presumption that any related party

transactions shall be presumed to be imprudent and excluded from costs used for any purpose, including but not limited to costs of lobbyists, excessive compensation, and entertainment expenses, unless the operator provides information showing that at least three separate competitive bids demonstrate that the operator could not have achieved better contract terms from a third party. (19104658D)

**SB 1133** (Favola) (STRAN) authorizes the operator of the Dulles Greenway to apply annually to the State Corporation Commission, during the period 2020 through 2029, for increases to tolls on the roadway to reflect increases in the Consumer Price Index plus one percent. The measure also requires the operator to complete by January 1, 2023, the construction and installation of improvements required to implement a distance-based pricing program for the roadway. Under the program, users will be charged tolls on the basis of the distance traveled. The operator is required to bear all expenses incurred in implementing the program. The Commission is directed to approve the program, provided that it satisfies conditions that, among other things, set tolls of \$1 per mile at all times other than peak hours. (19103288D)

**SB 1654** (Stanley) (STRAN) amends the powers and responsibilities of the State Corporation Commission (SCC) to regulate toll road operators under the Virginia Highway Corporation Act of 1988. The measure adds requirements that toll rates not materially discourage the public's use of the toll road, that the cost of operating the toll road be reasonably apportioned across all toll road users based on the relative distance each class of user travels on the toll road such that the toll rates are established in a reasonable and nondiscriminatory manner in relation to the benefit obtained, and that toll rates shall provide the operator with no more than a reasonable return. In addition, the measure (i) requires the SCC, by October 1, 2019, to initiate an investigation into the tolls charged by all operators subject to the Act and to issue a ruling by April 1, 2020, on its investigation as to whether the current tolls charged by the operator comply with such new requirements; (ii) prohibits the SCC from using the fact that any incremental return resulting from increased traffic related to a relative change in potential toll users that is greater than zero on a cumulative basis as the sole basis for finding that the operator's return exceeds a reasonable level as specified in such new requirements, during any future complaint proceeding; (iii) requires the SCC, in its initial investigation, to develop a baseline from which it can measure the relative change in potential toll users and directs how the incremental return shall be computed; (iv) prohibits an operator from seeking a toll increase that attempts to raise its return above the reasonable level; (v) requires the full disclosure, in public financial reports to the SCC, of the details of any related party transactions; and (vi) establishes a presumption that any related party transactions shall be presumed to be imprudent and excluded from costs used for any purpose, including but not limited to costs of lobbyists, excessive compensation, and entertainment expenses, unless the operator provides information showing that at least three separate competitive bids demonstrate that the operator could not have achieved better contract terms from a third party. (19103865D)

**SJ 254** (Black) (SRUL) requests the Department of Transportation to study the feasibility of purchasing all or part of the Dulles Greenway. (19100620D)

*Transportation Studies*

**HJ 580** (Cole) (HRUL) establishes a joint subcommittee to study the feasibility of widening Interstate 95 between Exit 118 and the Springfield Interchange. (19100151D)

**HJ 581** (Cole) (HRUL ) requests the Commonwealth Transportation Board to study the portion of the Interstate 95 corridor between Exit 118 and the Springfield Interchange and financing options for improvements to the corridor. (19100237D)

**SJ 276** (Reeves) (SRUL) requests the Commonwealth Transportation Board to study the portion of the Interstate 95 corridor between Exit 118 and the Springfield Interchange and financing options for improvements to the corridor. (19102700D)

**HJ 647** (Carroll Foy) (HRUL) requests that the Department of Rail and Public Transportation (the Department) to identify and recommend potential public transportation services from the Franconia-Springfield Metro Station to Marine Corps Base Quantico in Prince William and Stafford Counties and to study the feasibility of extending the Blue Line and other multimodal options such as bus rapid transit along Interstate 95 and U.S. Route 1. The Department shall report its findings and recommendations for the two-year study no later than the first day of the 2020 and 2021 Regular Sessions of the General Assembly. (19103870D)

**HJ 671** (Roem) (HRUL) requests the Department of Rail and Public Transportation to study and develop best practices for lowering the cost of commuter and light rail projects. (19103230D)

**Legislation Provided for Information**

**HB 2401** (Roem) (HLC) requires each public service corporation to file with the State Corporation Commission an annual statement of government influence spending that discloses each expenditure made by a public service corporation to influence government actions or public policy, including (i) lobbying expenditures, (ii) industry association dues, and (iii) payments made to any person that seeks to influence public policy. The measure requires the Commission to prepare summaries of the statements and to post the summaries and statements of government influence spending on its website. (19103357D)

**HB 2545** (Byron) (HGL)/**SB 1523** (Ruff) (SFIN) creates in the Governor's cabinet the position of Secretary of Workforce Development (the Secretary). The bill removes the position of Chief Workforce Development Advisor and reassigns that position's responsibilities to the Secretary. (19104057D, 19105369D-S1)

**SB 1080** (Edwards) (Senate Floor) creates proposed Title 55.1 (Property and Conveyances) as a revision of existing Title 55 (Property and Conveyances). Proposed Title 55.1 consists of 29 chapters divided into five subtitles: Subtitle I (Property Conveyances), Subtitle II (Real Estate Settlements and Recordation), Subtitle III (Rental Conveyances), Subtitle IV (Common Interest Communities), and Subtitle V (Miscellaneous). The bill organizes the laws in a more logical manner, removes obsolete and duplicative provisions, and improves the structure and clarity of

statutes pertaining to real and personal property conveyances, recordation of deeds, rental property, common interest communities, escheats, and unclaimed property. The bill has a delayed effective date of October 1, 2019, and is a recommendation of the Virginia Code Commission. (19100845D)

**HJ 692** (Cole) (HRUL) memorializes the Congress of the United States to submit a new Equal Rights Amendment, with language that addresses the concerns over religious and privacy rights, to the states for ratification. (19103818D)

**SJ 275** (Chase) (Passed Senate; HCT) reaffirms that all persons residing in Virginia are afforded equal protection under the law. The resolution cites numerous guarantees of equality that currently exist in both federal and state law while refuting the necessity, utility, and viability of the Equal Rights Amendment. (19104904D-S1)

**SJ 285** (Chase) (SRUL) directs the Joint Legislative Audit and Review Commission (JLARC) to study the practices, procedures, and accountability of industrial development authorities. In conducting its study, JLARC shall (i) collect information regarding the number sizes, budgets, and locations of industrial development authorities throughout the Commonwealth; (ii) collect information regarding any moneys received industrial development authorities, the source and final disposition of such moneys, and the level of control that local governing bodies have over the use of such moneys; (iii) make recommendations to enhance the level of supervision and accountability that local governing bodies have over industrial development authorities activities; (iv) collect information about opportunities for citizen engagement in pursuing and approving projects and make recommendations to enhance such engagement; and (vi) make other legislative recommendations as appropriate. (19102758D)

### **Education/Schools**

**HB 1724** (Krizek) (HAPP) establishes the Grow Your Own Teacher Pilot Programs Fund and permits the Department of Education to award grants from such fund to local school boards to establish Grow Your Own Teacher Pilot Programs whereby the local school board provides scholarships not to exceed \$7,500 per academic year for attendance at a baccalaureate institution of higher education in the Commonwealth to any individual who (i) graduated from a public high school in the local school division, (ii) was eligible for free or reduced price lunch throughout the individual's attendance at a public high school in the local school division, and (iii) commits to teach, within three years of graduating from the baccalaureate institution of higher education in the Commonwealth and for a period of at least four years, at a public high school at which at least 50 percent of students qualify for free or reduced price lunch in the school division in which such individual graduated from high school. The bill provides that in the event that any program scholarship recipient fails or refuses to comply with such teaching obligation, the sum of all scholarship funds received by such individual shall be converted to a loan that is subject to repayment with interest. The bill has an expiration date of July 1, 2024. (19101126D)

**HB 1729** (Landes) (Passed House; SEH) requires each school counselor employed by a school board in a public elementary or secondary school to spend at least 80 percent of his staff time during normal school hours in the direct counseling of individual students or groups of students. (19104768D-H1)

**HB 1985** (Bell, Richard P.) (HED) requires the Department of Education to annually collect from each school board and publish on its website various enrollment and achievement data on alternative education programs for students who have been suspended, expelled, or otherwise precluded from attendance at school. The bill requires such data to be published in a manner that protects the identities of individual students and disaggregated by local school division and by student race, ethnicity, gender, and disability. (19101690D)

**SB 1218** (Newman) (SEH) requires the Standards of Learning assessments administered to students in grades nine through twelve to include reading, writing, mathematics, science, and Virginia and U.S. history. The bill requires each such Standards of Learning assessment to consist of a Board-developed end-of-course assessment and prohibits such from being performance-based. The bill requires each school board to annually certify that it has provided instruction and administered an alternative assessment, consistent with Board guidelines, to students taking other high school courses in reading, writing, mathematics, science, and history and social science. The bill requires such Board guidelines to ensure that such assessments produce quantifiable metrics and performance measures that are comparable across school divisions and years. The bill requires the Department of Education to perform reviews and performance audits on such locally administered alternative assessments for high school courses. The bill requires the Board, in its graduation requirements, to require students to earn a verified unit of credit in reading, writing, mathematics, science, and Virginia and U.S. History. The bill requires each such verified credit to be earned only by (i) the successful completion of a Board-developed end-of-course Standards of Learning assessment; (ii) achievement of a passing score on a Board-approved standardized test administered on a statewide, multistate, or international basis that measures content that incorporates or exceeds the Standards of Learning content in the course for which the verified credit is given; or (iii) achievement of criteria for the receipt of a locally awarded verified credit from the local school board in accordance with criteria established in Board guidelines when the student has not passed the corresponding Standards of Learning assessment. (19102794D)

**SB 1298** (Barker) (Passed Senate; HED) requires the Department of Education to annually collect from each school board and publish on its website various enrollment and achievement data on alternative education programs for students who have been suspended, expelled, or otherwise precluded from attendance at school. The bill requires such data to be published in a manner that protects the identities of individual students and disaggregated by local school division and by student race, ethnicity, gender, and disability. (19102732D)

**SB 1330** (Stanley) (SFIN) provides for a statewide referendum on the question of whether the General Assembly shall issue state general obligation bonds in the amount of \$3 billion for the purpose of K-12 school building construction, repair, or other capital projects related to the modernization of school facilities. The results would be advisory only and are intended only to

demonstrate the preference of the citizens of the Commonwealth on developing such a commission. The referendum would be held at the November 2019 general election. (19104238D)

**SB 1617** (Ruff) (SFIN) creates a grant program to assist qualified public institutions of higher education, defined in the bill, in reaching, by 2039, a goal of increasing, in the aggregate, the number of bachelor's and master's degrees awarded in computer science, computer engineering, and closely related fields by at least 25,000 degrees. To be eligible for an annual grant, a qualified institution is required to enter into a memorandum of understanding setting forth specific criteria for eligible degrees, eligible expenses, and degree production goals. The bill requires qualified institutions that are grant recipients to report annually on progress towards meeting such goals and that grants issued pursuant to the program are subject to appropriation. (19102502D)

### *School Calendar*

**HB 1652** (Robinson) (HED)/**SB 1005** (Chase) (SEH) makes local school boards responsible for setting the school calendar and determining the opening day of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. The bill requires local school boards that set the school calendar with a pre-Labor Day opening date, except those schools that were granted a "good cause" waiver for the 2018-2019 school year, to close all schools in the division from (i) the Thursday immediately preceding Labor Day through Labor Day or (ii) the Friday immediately preceding Labor Day through the Tuesday immediately succeeding Labor Day. (19100409D, 19100072D)

**HB 2140** (Thomas) (HED) permits the Board of Education to waive the requirement to set the school calendar so that the first day students are required to attend school must be after Labor Day for any school board that certifies to the Board of Education that the school division is entirely surrounded by school divisions that each have an opening date prior to Labor Day in the school year for which the waiver is sought. (19102568D)

**SB 1074** (Howell) (SEH)/**SB 1113** (Favola) (SEH) provides that the local school board of a school division located in Planning District 8 shall be responsible for setting the school calendar and determining the opening day of the school year. (19100745D, 19100736D)

### Elections

**HB 1800** (Heretick) (HPE) provides that the Board of Corrections shall make, adopt, and promulgate rules and regulations regarding the provision of information on absentee voting to all persons confined in a local correctional facility who may be eligible to vote and information on the process of applying for a restoration of civil rights and of voting rights for those persons who have been convicted of a felony. (19101475D)

**HB 2046** (McNamara) (HPE) requires that on any ballot all offices to be elected shall appear before any questions presented to the voters. (19102880D)

**SB 1016** (Chase) (Passed Senate) allows a candidate for a constitutional office who has been nominated by a political party or in a primary election to choose whether to be identified on the ballot by the name of his political party. (19100069D-E)

**SB 1455** (Vogel) (Reported from SPE) continues and reestablishes the Department of Elections as an independent agency that includes a Commissioner of Elections and the State Board of Elections. The State Board is continued as a supervisory board and its membership is increased from three to nine members, with terms of three years after an initial staggering of terms. The Governor, the Speaker of the House of Delegates, and the Senate Committee on Rules each appoint three members; of those three, two members represent the political parties receiving the highest and next highest number of votes in the Commonwealth for Governor at the last preceding gubernatorial election, and one is a former judge of a court of record. Under the bill, the State Board is responsible for appointing a Commissioner of Elections and has the authority to remove the Commissioner of Elections; such appointment or removal requires an affirmative vote of six of the nine Board members. The bill places restrictions on political activities of State Board members, the Commissioner, and employees of the Department. (19105523D-S1)

#### *State Board of Elections*

**HB 1620** (Ransone) (HPE) increases the membership of the State Board of Elections (Board) from three members to six members and increases the terms of Board members from four years to six years. Equal representation shall be given to each of the political parties having the highest and next highest number of votes in the Commonwealth at the last preceding gubernatorial election. Appointments shall be made with due consideration of geographical representation, and no two Board members may reside in the same congressional district. Terms are initially staggered. The bill also grants to the Board the authority to appoint, subject to confirmation by the General Assembly, the Commissioner of Elections to head the Department of Elections and to act as the principal administrative officer. Additionally, the Board has the authority to remove the Commissioner. The appointment or removal of the Commissioner shall require an affirmative vote of five of the six Board members. The bill also directs the Department of Elections to employ a Director of Operations, who is to be responsible for managing the day-to-day operations at the Department. The bill requires the Board to submit an annual report to the Governor and the General Assembly. (19100589D)

#### **Environment**

**HJ 597** (Krizek) (HRUL) requests the Department of Environmental Quality to study the economic impact of litter on fishing, farming, water quality, and other components of Virginia's economy and to propose strategies, campaigns, and necessary state actions to protect the economy of the Commonwealth from harm caused by litter and promote Virginia's economic welfare. (19101046D)

**Health and Human Services**

**HB 2457** (Landes) (HHWI) provides that the Board of Medicine may issue an inactive license to any doctor of medicine, osteopathy, podiatry, or chiropractic who holds a valid license to practice in the Commonwealth upon receipt of a request made upon application for renewal of such license and submission of the required fee. The bill provides that a person to whom an inactive license has been issued shall not be required to meet continuing competency requirements and shall not engage in the practice of medicine, except that such person may provide charity care or in-home health care to patients for whom travel is a barrier to receiving health care. (19103907D)

**HB 2569** (LaRock) (HHWI) authorizes any county adjacent to a county that has adopted the urban county executive form of government (the Counties of Arlington, Loudoun, and Prince William) to, by ordinance, provide for (i) the regulation and licensing of persons who provide child-care services for compensation and (ii) the regulation and licensing of child-care facilities. (19101245D)

**SB 1004** (Chase) (Senate Floor) requires practitioners licensed by the Board of Medicine and hospitals to provide a patient or the representative of a patient scheduled to receive a nonemergency procedure, test, or service to be performed by the practitioner or hospital, at least three days in advance of the date of such procedure, test, or service, an estimate of the payment amount for which the participant will be responsible. Under current law, the requirement to provide such estimate applies only to hospitals for elective procedures, tests, or services and only upon request. (19104197D-S1)

**SB 1488** (Hanger) (Passed Senate) directs the Department of Behavioral Health and Developmental Services to study and develop recommendations for addressing the treatment needs of individuals with complex medical needs who are experiencing a mental health crisis and require mental health treatment. The Department shall report its findings and conclusions to the Joint Subcommittee Studying Mental Health Services in the Commonwealth in the 21st Century by December 1, 2019. (19104970D-S1)

**SB 1526** (Sturtevant) (SEH) repeals the requirement for a certificate of public need for certain projects involving mental hospitals or psychiatric hospitals and intermediate care facilities established primarily for the medical, psychiatric, or psychological treatment and rehabilitation of individuals with substance abuse. The bill creates a new permitting process for such projects, exempted from the certificate of public need process, that requires the Commissioner of Health to issue a permit upon the agreement of the applicant to certain charity care conditions and quality of care standards. (19101382D)

**SJ 301** (Deeds) (SRUL) continues the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the Twenty-First Century for two additional years, through December 1, 2021. (19103005D)

*Tobacco Products*

**HB 2748** (Stolle) (HCT) increases the minimum age for persons prohibited from purchasing or possessing tobacco products, nicotine vapor products, and alternative nicotine products, and the minimum age for persons such products can be sold to, from 18 years of age to 21 years of age. The bill also allows tobacco products, nicotine vapor products, and alternative nicotine products to be sold from a vending machine if there is posted notice of the minimum age requirements and the machine is located in a place that is not open to the general public and not generally accessible to persons under 21 years of age. Under current law, tobacco products may be sold from a vending machine if there is posted notice of the minimum age requirements and the machine is located in a place that is not open to the general public and not generally accessible to minors. (19104561D)

**SB 1727** (Norment) (Reported from SCT) increases the minimum age for persons prohibited from purchasing or possessing tobacco products, nicotine vapor products, and alternative nicotine products, and the minimum age for persons such products can be sold to, from 18 years of age to 21 years of age. The bill also allows tobacco products, nicotine vapor products, and alternative nicotine products to be sold from a vending machine if there is posted notice of the minimum age requirements and the machine is located in a place that is not open to the general public and not generally accessible to persons under 21 years of age. Under current law, tobacco products may be sold from a vending machine if there is posted notice of the minimum age requirements and the machine is located in a place that is not open to the general public and not generally accessible to minors. (19105440D-S1)

**Technology**

**HB 1900** (Davis) (HST) establishes the Health Care Provider Credentials Data Solution Fund for the purpose of soliciting proofs of concept to establish or improve a system for the storage and accessing of health care provider credentials data, utilizing blockchain or a similar technology, to be maintained by the Department of Health Professions. The Fund authorizes the Secretary of Health to disburse matching funds on at least a one-to-one basis to any person who demonstrates such proof of concept. This is a recommendation of the Joint Commission on Technology and Science. (19101617D)

**HB 1978** (Sullivan) (HAPP) requires the Superintendent of Public Instruction to establish and appoint no more than 12 members to the Digital Citizenship, Internet Safety, and Media Literacy Advisory Council (Council), including at least one teacher, librarian, representative of a parent-teacher organization, school administrator, and individual with expertise in digital citizenship, Internet safety, and media literacy. The bill requires the Council to (i) develop and recommend to the Board of Education for adoption a model policy for local school boards that would enable such school boards to better support the digital citizenship, Internet safety, and media literacy of all students in the local school division; (ii) develop and recommend to the Board for adoption model instructional practices for the safe, ethical, and responsible use of media and technology by students in public elementary and secondary schools; (iii) design and post on the Department of Education's website a page with links to successful instructional practices, curricula, and other

teacher resources used in school divisions within and outside of the Commonwealth for the safe, ethical, and responsible use of media and technology by students; and (iv) submit a report of its findings to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health no later than October 31, 2020. The bill has an expiration date of July 1, 2021. (19100531D)

**HB 2031** (McGuire) (HST) requires the Department of Education to establish and appoint members to a task force for the purpose of establishing a program and standards for the designation of any public middle school or high school in the Commonwealth as a cyber center of excellence. The bill requires such program and standards to, at minimum, (i) establish a competitive process by which local school boards may apply to the Department of Education to designate any middle school or high school in the local school division as a cyber center of excellence and (ii) require applicants to demonstrate the ability to (a) provide high-quality programs and curricula for the development of the computer skills of enrolled students, (b) identify enrolled students with an aptitude for such programs and curricula, and (c) assist such students in developing their computer skills in order to be better prepared to meet the Commonwealth's growing demand and unmet need for cybersecurity professionals. The bill requires the task force to create and distribute to each local school board guidelines, procedures, and best practices for applications for the designation of schools as cyber centers of excellence. (19100455D)

### Transportation

**HB 2315** (Hodges) (HRUL) directs the Department of Transportation, in collaboration with the Commonwealth Center for Recurrent Flooding Resiliency, to identify public transportation infrastructure at risk of flooding or deterioration due to flooding and to develop a plan for managing such assets. (19102325D)

**HB 2441** (Wilt) (HCT) requires the Department of Motor Vehicles to issue a special identification card without a photograph to a person with a sincerely held religious belief prohibiting the taking of a photograph who would otherwise meet the qualifications for a special identification card but also presents an approved and signed IRS Form 4029. The bill allows a special identification card without a photograph to be similar in size, shape, and design to a driver's license but requires (i) that it be clearly distinguishable from a driver's license, (ii) that it not include a photograph of its holder, and (iii) that it clearly state that (a) the card does not authorize the holder to operate a motor vehicle, (b) federal limits apply, and (c) the card is not valid identification to vote. The bill provides that giving false information, concealing a material fact, or otherwise committing a fraud in applying for a special identification card without a photograph is guilty of a Class 2 misdemeanor and that obtaining a special identification card without a photograph for the purpose of committing any offense punishable as a felony constitutes a Class 4 felony. The bill contains technical amendments. This bill is the result of a study conducted by the Department of Motor Vehicles. (19100181D)

**HB 2489** (Jones, J.C.) (HTRAN) requires the Commissioner of Highways to temporarily suspend toll collection operations in affected evacuation zones and affected areas during any

mandatory evacuation. Current law authorizes the Commissioner, in his discretion, to temporarily suspend toll collection operations in cases of emergency and concern for public safety. (19101335D)

**HB 2594** (LaRock) (Reported from HTRAN) adds traffic incident management vehicles, defined in the bill, to be exempt from certain traffic regulations when responding to an emergency. The bill also allows such vehicles to be equipped with flashing red or red and white warning lights, and sirens. (19105422D-H1)

**HB 2737** (Bagby) (HTRAN) directs the Department of Transportation, in partnership with the Department of Rail and Public Transportation, to place and maintain appropriate signs along highways indicating the presence and direction of nearby Amtrak or intercity passenger rail stations. The bill provides that such signs will be paid for by the Intercity Passenger Rail Operating and Capital Fund. (19105620D)

**HB 2759** (Sickles) (HRUL) directs the Department of Motor Vehicles, in consultation with the State Corporation Commission and the Department of Taxation, to convene a work group to study the implications of electronic peer-to-peer vehicle rental services. (19104491D)

**HB 2795** (Torian) (HTRAN) provides that the Department of State Police may operate a handheld photo speed monitoring device, defined in the bill, in or around a highway work zone for the purpose of recording images of vehicles that are traveling at speeds of at least 12 miles per hour above the posted highway work zone speed limit within such highway work zone when (i) workers are present and (ii) such highway work zone is indicated by appropriately placed signs displaying the maximum speed limit and the use of such handheld automated speed monitoring device. The bill also provides that the operator of a vehicle shall be liable for a monetary civil penalty, not to exceed \$125, if such vehicle is found to be traveling at speeds of at least 12 miles per hour above the posted highway work zone speed limit by the handheld photo monitoring device. (19105198D)

**HB 2800** (Garrett) (HTRAN) requires the Commissioner of Highways to report annually by December 1 to the Governor, the General Assembly, and the Commonwealth Transportation Board regarding overweight trucks. This report is in addition to other reports the Commissioner is required by law to submit. The bill expires on January 1, 2021. (19105145D)

**SB 1425** (Dunnivant) (Senate Floor) provides that when the owner of a mobile food unit, defined as a restaurant mounted on wheels and readily moveable at any time during its operation, pays any license tax in the county or city in which the mobile food unit is registered and in which property taxes are paid, no other license shall be required in any other county, city, or town in the Commonwealth. (19102489D)

**SB 1510** (Carrico) (STRAN) provides that only towing requests made by local law-enforcement officers are subject to local ordinances regulating towing services for unattended, abandoned, or immobile vehicles. (19101888D)

**SB 1535** (Surovell) (STRAN) requires the owner of a sign located along an Interstate System highway that has a height that is greater than the distance from such sign to the shoulder edge of the pavement to have such sign periodically inspected for building code compliance. The bill authorizes the Commissioner of Highways to remove any such sign without notice and at the cost of the owner if the sign poses a risk to highway safety or public safety. (19102227D)

**SB 1550** (Surovell) (STRAN) provides that a person who operates a motor vehicle in a careless or distracted manner and is the proximate cause of serious physical injury to a vulnerable road user, defined in the bill as a pedestrian or person riding a bicycle, electric wheelchair, electric bicycle, wheelchair, skateboard, skates, foot-scooter, animal, or animal-drawn vehicle, is guilty of a traffic infraction. The bill prohibits the driver of a motor vehicle from using or crossing into a bicycle lane to pass or attempt to pass another vehicle. (19104047D)

**SB 1733** (Cosgrove) (STRAN) directs the Department of Motor Vehicles, in consultation with the State Corporation Commission and the Department of Taxation, to convene a work group to study the implications of electronic peer-to-peer vehicle rental services. (19104516D)

**SB 1775** (Carrico) (STRAN) requires the Commissioner of Highways to report annually by December 1 to the Governor, the General Assembly, and the Commonwealth Transportation Board regarding overweight trucks. This report is in addition to other reports the Commissioner is required by law to submit. The bill expires on January 1, 2021. (19104683D)

**SB 1784** (Boysko) (STRAN) authorizes traffic incident management vehicles, defined in the bill, to be (i) equipped with flashing red or red and white warning lights, (ii) exempt from certain traffic regulations in particular situations, and (iii) equipped with a siren, exhaust whistle, or air horn. The bill adds traffic incident management vehicles to the list of stopped vehicles for which the operator of a motor vehicle must move over or proceed with caution. (19104564D)

### **Transportation Funding/Allocation**

#### *NVTA Funding*

**HB 2085** (Watts) (HRUL) raises the existing regional transportation fee, a grantor's tax, from \$0.15 per \$100 to \$0.20 per \$100 for localities in the Northern Virginia Transportation Authority that are also members of the Northern Virginia Transportation District. The bill requires half of the revenues to be deposited in the Northern Virginia Transportation Authority Fund and half to be deposited in the Washington Metropolitan Area Transit Authority (WMATA) Capital Fund. The rate of tax in the other localities will remain at \$0.15 per \$100, with one-third of the revenues to be retained by the locality to be used for transportation purposes and the other two-thirds to be deposited in the Northern Virginia Transportation District Fund. The bill also raises the existing transient occupancy tax in the localities located in the Northern Virginia Transportation District from \$2 to \$3, with all of the revenues from the tax being used to support WMATA. (19101608D)

*Northern Virginia Tolling*

**HB 2511** (Hugo) (HTRAN) sets the operating hours for HOT lanes on Interstate 66 inside the Beltway from 6:30 a.m. to 9:00 a.m. for eastbound lanes and from 4:00 p.m. to 6:30 p.m. for westbound lanes. (19101594D)

**HB 2527** (Hugo) (HTRAN) prohibits the imposition and collection of tolls on any primary, secondary, or urban highway in Planning District 8 not tolled as of January 1, 2019, without prior approval by the General Assembly. (19102826D)

*Northern Virginia Funding Allocations*

**HB 2633** (Delaney) (HTRAN) prohibits the Commonwealth Transportation Board from prioritizing a project that is likely to increase congestion over a project that would not increase congestion during the statewide prioritization process, commonly known as SMART SCALE. (19103554D)

*Interstate 81*

**HB 2571** (LaRock) (HTRAN) creates the Interstate 81 Corridor Transportation Commission, embracing the localities located in planning districts 3, 4, 5, 6, and 7. The Commission would be responsible for allocating any revenues dedicated to it by the General Assembly for improvements within the Interstate 81 corridor. (19102937D)

**HB 2718** (Landes) (HRUL)/**SB 1716** (Obenshain) (SFIN) authorizes the Commonwealth Transportation Board (the Board) to impose tolls on Interstate 81, subject to conditions and limitations set forth in the bill. If the Board implements the tolls, it would also be required to offer annual toll passes for passenger vehicles. Revenues from such tolls would be deposited in the Interstate 81 Corridor Improvement Fund, established by the bill, and be used for capital, operating, and improvement costs along the Interstate 81 corridor. In allocating such revenues, the Board would develop and update, in consultation with an Interstate 81 Committee established by the bill, an Interstate 81 Corridor Improvement Program. (19102260D, 19102261D)

**SB 1322** (Hanger) (SFIN) imposes an additional 2.1 percent tax on motor fuels sold at wholesale to a retail dealer for sale in a locality along the Interstate 81 Corridor. The revenues from the tax would be deposited into an Interstate 81 Corridor Improvement Fund, to be used by the Commonwealth Transportation Board to fund improvements along the corridor or to support debt to fund such improvements. (19103063D)

**SB 1470** (Edwards) (SFIN) imposes an additional motor fuels tax equal to five percent of the average wholesale price of gasoline on the sale of gasoline, gasohol, diesel, and alternative fuels. \$300 million of the new revenues would be reserved for improvements to Interstate 81, and the remainder would be distributed pursuant to existing allocation formulas for statewide transportation needs. (19102496D)

Board of Supervisors

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**SB 1749** (McDougle) (STRAN) creates the Robert O. Norris Bridge and Statewide Special Structure Fund to fund the maintenance and replacement of large and unique structures. The bill directs the Commonwealth Transportation Board to undertake a comprehensive review of the current and future condition of pavements and bridges and create a plan that includes the funding needs of large and unique transportation structures in the Commonwealth. (19104284D)

Attachments: Supplementary documents

cc: Joe Mondoro, Chief Financial Officer  
Tisha Deeghan, Deputy County Executive  
Rachel O'Dwyer Flynn, Deputy County Executive  
Dave Rohrer, Deputy County Executive  
Elizabeth Teare, County Attorney  
Catherine A. Chianese, Assistant County Executive and Clerk to the Board  
Richmond Team  
Tom Biesiadny, Director, Department of Transportation

SUPPLEMENTARY DOCUMENTS  
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February 5, 2019

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**FAIRFAX COUNTY  
LEGISLATIVE SUMMARY**

***2019 GENERAL ASSEMBLY***

February 2, 2019

# Fairfax County Legislative Summary 2019 General Assembly

## Board of Supervisors Report Key

**Bold** = Date Position taken by full Board of Supervisors  
 [ ] = Date position taken by BOS Legislative Committee  
*Italics* = Date position recommended by staff

Bill No. – Patron, (District No.)  
 Bill Title

Committee/Floor  
 Actions

**HB 589** - Watts (39)  
 Blue Star Memorial Highway; designating as portion of Old Keene Mill Road in Fairfax County.

1/10/2006 House: Referred to Committee on Transportation

**12/5/2005**

**Initiate** (067916260)  
**Summary:** Designates a portion of Old Keene Mill Road in Fairfax County a "Blue Star Memorial Highway."

**Bold = Board Position**, [ ] = BOS Legislative Committee Position, *Italics=Staff Recommended Position Changes* (LD No. is version of bill on which position was taken)  
**Summary** -- Reflects latest version of summary available on the Legislative Information System Web Site (If not noted otherwise, reflects summary as introduced)

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<a href="#"><u>HB 1913</u></a> Bulova, D	Subdivision ordinance; sidewalks.
<a href="#"><u>HB 2578</u></a> Plum, K	Secondary state highways; six-year plan, public meeting.
<a href="#"><u>SB 1663</u></a> Barker, G	Subdivision ordinance; sidewalks.
<a href="#"><u>SB 1684</u></a> Petersen, J	Secondary state highways; six-year plan, public meeting.
<b><i>Fairfax County Positions</i></b> <span style="float: right;"><b><i>Pages 12-22</i></b></span>	
<b><i>(Oppose or Amend):</i></b>	
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<a href="#"><u>HB 1667</u></a> Kilgore, T	Virginia Public Procurement Act; statute of limitations on actions on construction contracts, etc.
<a href="#"><u>HB 1703</u></a> Guzman, E	Aviation jet fuel; taxation, distribution of certain revenue to Metro. Washington Airport Authority.
<a href="#"><u>HB 1865</u></a> Fowler, Jr., H	Towing fees; sets maximum towing hookup and initial towing fees.
<a href="#"><u>HB 1872</u></a> Webert, M	Motorcycles and autocycles; protective helmets, organ donor exemption.
<a href="#"><u>HB 1903</u></a> Head, C	Criminal history record information; limitations on dissemination of information.
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<a href="#"><u>HB 2103</u></a> Freitas, N	Stormwater management plans; erosion and sediment control plans, portion of project.
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<a href="#"><u>HB 2468</u></a> Roem, D	State Route 28; Department of Transportation to study.
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<a href="#"><u>HB 2506</u></a> Hodges, M	Chesapeake Bay Preservation Areas; filling low-lying areas.
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<a href="#"><u>HB 2643</u></a> Delaney, K	Interstate 66; limits to \$15 the tolls collected on the tolled portion.
<a href="#"><u>HB 2686</u></a> Knight, B	Zoning Appeals, Board of; changes vote requirement.
<a href="#"><u>HB 2736</u></a> Hugo, T	Local employee grievance procedure; qualifying grievances by local government employees.
<a href="#"><u>HJ 643</u></a> Webert, M	Composite index of local ability to pay; DOE to study effect of local use value assessment.
<a href="#"><u>HJ 657</u></a> Pogge, B	Constitutional amendment; real property tax exemption, surviving spouse of a disabled veteran.
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<a href="#"><u>SB 1369</u></a> Norment, Jr., T	Virginia Public Procurement Act; statute of limitations on actions on construction contracts, etc.
<a href="#"><u>SB 1421</u></a> Obenshain, M	Eminent domain; entry upon private property, calculation of just compensation, damages.
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<a href="#"><u>SB 1545</u></a> Sturtevant, Jr., G	Public schools; alternative accountability process.
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<a href="#"><u>SB 1578</u></a> Suetterlein, D	Reckless driving; exceeding speed limit.
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<a href="#"><u>HB 1641</u></a> Herring, C	Absentee voting; no-excuse absentee.
<a href="#"><u>HB 1645</u></a> Bourne, J	Virginia Fair Housing Law; unlawful discriminatory housing practices.
<a href="#"><u>HB 1695</u></a> Fariss, C	Passing a stopped school bus; civil penalty.
<a href="#"><u>HB 1698</u></a> Fariss, C	Zoning Appeals, Board of; written order, certified mail.
<a href="#"><u>HB 1743</u></a> Bulova, D	Pharmacist; counseling for new prescriptions, disposal of medicine.
<a href="#"><u>HB 1772</u></a> Mullin, M	Virginia Freedom of Information Advisory Council; advisory opinions, evidence in civil proceeding.
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<a href="#"><u>HB 1977</u></a> Sullivan, Jr., R	Voter identification; accepted forms of identification.
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<a href="#">HB 2070</a> Bell, J	Energy saving products; tax deduction.
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<a href="#">HB 2421</a> Levine, M	Discrimination; sexual orientation and gender identity.
<a href="#">HB 2451</a> Bell, R	Certificate of public need; nursing homes and hospitals, disaster exemption.
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<a href="#">HB 2510</a> Hugo, T	Judges; maximum number in nineteenth judicial district.
<a href="#">HB 2513</a> Hugo, T	Workers' compensation; occupation disease presumptions, PTSD.
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<a href="#">HB 2792</a> Tran, K	Electric utilities; municipal net energy metering.
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<a href="#">SB 1121</a> Petersen, J	Judges; maximum number in nineteenth judicial district.
<a href="#">SB 1129</a> Locke, M	Food stamps and TANF; eligibility, drug-related felonies.
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<a href="#">SB 1145</a> Favola, B	Virginia Initiative for Employment Not Welfare (VIEW); transitional child care.
<a href="#">SB 1224</a> Chafin, A	Local multidisciplinary adult abuse, neglect & exploitation response teams; establishment of teams.
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<a href="#">SB 1373</a> Favola, B	Conditional rezoning proffers; extensive changes to conditional zoning provisions.
<a href="#">SB 1405</a> Dance, R	Pharmacist; counseling for new prescriptions, disposal of medicine.
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<a href="#">SB 1439</a> McClellan, J	Death certificates; medical certification, electronic filing.
<a href="#">SB 1468</a> Black, R	Northern Virginia Transportation Authority; analysis of projects.
<a href="#">SB 1553</a> Surovell, S	Urban county executive form of government; abandoned personal property.
<a href="#">SB 1575</a> Ebbin, A	Teacher licensure; exemption for certain teachers.
<a href="#">SB 1576</a> Suetterlein, D	DOE; pilot program, placement transition of certain students.
<a href="#">SB 1680</a> Mason, T	Mass transit providers; loss of certain operating funds.
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**Legislation No Longer Under Consideration  
(Killed, Failed to Report, Tabled,  
Incorporated into Other  
Legislation, etc.):**

<a href="#">HB 1823</a> Convirs- Fowler, K	Virginia Fair Housing Law; unlawful discriminatory housing practices.
<a href="#">SB 1035</a> Locke, M	Absentee voting; no-excuse absentee.
<a href="#">SB 1075</a> Howell, J	Absentee voting; no-excuse in-person available 21 days prior to election.
<a href="#">SB 1127</a> Favola, B	Local government taxing authority; equalizes municipal and county taxing authorities.
<a href="#">SB 1198</a> Dance, R	Absentee voting; no excuse required when voting in person.
<a href="#">SB 1456</a> McClellan, J	Distributed renewable energy; promotes establishment of solar and other renewable energy.
<a href="#">SB 1467</a> Saslaw, R	Protective orders; possession of firearms, surrender or transfer of firearms, penalties.
<a href="#">SB 1471</a> Hanger, Jr., E	Computation of composite index; land-use assessment value.
<a href="#">SB 1476</a> Deeds, R	School bus video-monitoring systems; release of information by DMV.
<a href="#">SB 1672</a> Locke, M	Absentee voting; no-excuse absentee.
<a href="#">SB 1708</a> Edwards, J	Law-Enforcement Officers Procedural Guarantee Act; hearing panel decisions.
<a href="#">SB 1770</a> Deeds, R	Transportation funding; creates a statewide approach to funding.
<a href="#">SB 1783</a> Boysko, J	Local employee grievance procedure; qualifying grievances by local government employees.

*Fairfax County Initiatives*

*Bills Introduced  
at Fairfax County's Request*

Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 1913</a> - Bulova (37) Subdivision ordinance; sidewalks.	1/4/2019 House: Referred to Committee on Counties, Cities and Towns 1/23/2019 House: Subcommittee recommends reporting with amendment (6-Y 0-N) 1/25/2019 House: Reported from Counties, Cities and Towns with amendment (21-Y 0-N) 1/31/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)	<b>1/22/2019</b>
<p><b>Initiate</b> (19103330D) - See also SB 1663 (Barker).  <b>Summary:</b> Allows any locality to include provisions in its subdivision ordinance requiring that where a lot being subdivided or developed fronts on an existing street and the provision of a sidewalk is in accordance with the locality's adopted comprehensive plan, the locality may require the dedication of land for, and construction of, a sidewalk on the property being subdivided or developed.</p>		
<a href="#">HB 2578</a> - Plum (36) Secondary state highways; six-year plan, public meeting.	1/9/2019 House: Referred to Committee on Transportation 1/24/2019 House: Subcommittee recommends reporting (6-Y 0-N) 1/29/2019 House: Reported from Transportation (22-Y 0-N)	<b>1/22/2019</b>
<p><b>Initiate</b> (19103260D) - See also SB 1684 (Petersen).  <b>Summary:</b> Six-year plans for secondary state highways; public meeting. Limits the requirement that a governing body with a six-year plan for improving the secondary highway system advertise for and hold a public meeting regarding such plan to only those years in which the county has a proposed new funding allocation greater than \$100,000.</p>		
<a href="#">SB 1663</a> - Barker (39) Subdivision ordinance; sidewalks.	1/10/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Reported from Local Government with amendment (10-Y 0-N)	<b>1/22/2019</b>
<p><b>Initiate</b> (19104255D) - See also HB 1913 (Bulova).  <b>Summary:</b> Allows any locality to include provisions in its subdivision ordinance requiring that where a lot being subdivided or developed fronts on an existing street and the provision of a sidewalk is in accordance with the locality's adopted comprehensive plan, the locality may require the dedication of land for, and construction of, a sidewalk on the property being subdivided or developed.</p>		
<a href="#">SB 1684</a> - Petersen (34) Secondary state highways; six-year plan, public meeting.	1/14/2019 Senate: Referred to Committee on Transportation 1/23/2019 Senate: Reported from Transportation (13-Y 0-N) 1/29/2019 Senate: Read third time and passed Senate (40-Y 0-N)	<b>1/22/2019</b>
<p><b>Initiate</b> (19104464D) - See also HB 2578 (Plum).  <b>Summary:</b> Six-year plans for secondary state highways; public meeting. Limits the requirement that a governing body with a six-year plan for improving the secondary highway system advertise for and hold a public meeting regarding such plan to only those years in which the county has a proposed new funding allocation greater than \$100,000.</p>		

**Bold** – Indicates BOS formal action

[ ] Indicates BOS Legislative Committee Action

# *Fairfax County Positions*

*(Oppose or Amend)*

\* \* \*

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><b>HB 1655</b></a> - Miyares (82) Real property tax exemption for disabled veterans; surviving spouse's ability to change residence.</p>	<p>11/29/2018 House: Referred to Committee on Finance 1/14/2019 House: Reported from Finance with substitute (22-Y 0-N) 1/18/2019 House: Read third time and passed House BLOCK VOTE (94-Y 0-N) 1/21/2019 Senate: Referred to Committee on Finance</p>	<p><b>1/22/2019</b></p>
<p><b>Amend</b> (19103726D-H1) - Amend to support as a state tax credit; Board has historically recommended amendment. See also SB 1270 (Stuart). <b>Summary:</b> Real property tax exemption for disabled veterans; surviving spouses; ability to move to a different residence. Enacts as statutory law an amendment to subdivision (a) of Section 6-A of Article X of the Constitution of Virginia that was adopted by the voters on November 6, 2018, which applies the real property tax exemption for the surviving spouse of a disabled veteran to such spouse's principal place of residence regardless of whether such spouse moves to a different residence.</p>		
<p><a href="#"><b>HB 1667</b></a> - Kilgore (1) Virginia Public Procurement Act; statute of limitations on actions on construction contracts, etc.</p>	<p>12/3/2018 House: Referred to Committee for Courts of Justice 1/11/2019 House: Subcommittee recommends reporting (5-Y 1-N) 1/30/2019 House: Subcommittee recommends reporting with substitute (6-Y 1-N) 1/30/2019 House: Reported from Courts of Justice with substitute (11-Y 6-N) 1/30/2019 House: Referred to Committee on Appropriations</p>	<p><b>1/22/2019</b></p>
<p><b>Oppose</b> (19101460D) - See also SB 1369 (Norment). <b>Summary:</b> Virginia Public Procurement Act; statute of limitations on actions on construction contracts; statute of limitations on actions on performance bonds. Provides that no action may be brought by a public body on any construction contract, including construction management and design-build contracts, unless such action is brought within five years after substantial completion of the work on the project and that no action may be brought by a public body on a warranty or guarantee in such construction contract more than one year from the breach of that warranty, but in no event more than one year after the expiration of such warranty or guarantee. The bill also limits the time frame during which a public body, other than the Department of Transportation, may bring an action against a surety on a performance bond to within one year after substantial completion of the work on the project. Current law allows a public body, other than the Department of Transportation, to bring such an action within one year after (i) completion of the contract, including the expiration of all warranties and guarantees, or (ii) discovery of the defect or breach of warranty that gave rise to the action.</p>		
<p><a href="#"><b>HB 1703</b></a> - Guzman (31) Aviation jet fuel; taxation, distribution of certain revenue to Metro. Washington Airport Authority.</p>	<p>12/12/2018 House: Referred to Committee on Finance 1/23/2019 House: Subcommittee recommends passing by indefinitely (8-Y 1-N)</p>	<p><b>1/22/2019</b></p>

**Bold** – Indicates BOS formal action  
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p><b>Oppose</b> (19101086D)  <b>Summary:</b> Taxation of aviation jet fuel; distribution of certain revenues to Metropolitan Washington Airports Authority. Imposes a tax at a rate of five cents per gallon on aviation jet fuel purchased or used by an airline licensed by the Federal Aviation Administration with more than eight billion passenger-miles originating at Virginia airports during the calendar year and any regional air carrier contracting with such airline. The bill disburses revenue from the tax to the Metropolitan Washington Airports Authority (the Authority), provided that the Authority enters into an agreement to use the proceeds to finance Phase 2 of the Dulles Corridor Metrorail project and to reduce toll rates on users of the Dulles Toll Road. If the Authority does not enter into such an agreement, the bill prohibits the Department of Aviation from disbursing any revenue from taxes on aviation fuel to the Authority.</p>		
<p><b><u>HB 1865</u></b> - Fowler, Jr. (55)  Towing fees; sets maximum towing hookup and initial towing fees.</p>	<p>1/3/2019 House: Referred to Committee on Transportation  1/15/2019 House: Subcommittee recommends reporting with substitute (6-Y 1-N)  1/29/2019 House: Reported from Transportation with substitute (22-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Oppose Unless Amended</b> (19104945D) - Oppose unless amended to limit fee increases.  <b>Summary:</b> Towing fees. Sets maximum towing hookup and initial towing fees at \$150 for all localities. Current law authorizes local governing bodies to set towing fee limits different from the maximums retained by the bill.</p>		
<p><b><u>HB 1872</u></b> - Webert (18)  Motorcycles and autocycles; protective helmets, organ donor exemption.</p>	<p>1/3/2019 House: Referred to Committee on Transportation  1/22/2019 House: Subcommittee failed to recommend reporting (2-Y 8-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Oppose</b> (19100466D) - Board has historically opposed.  <b>Summary:</b> Protective helmets on motorcycles and autocycles; organ donor exemption. Exempts any operator of and passenger on a motorcycle or autocycle who is 21 years of age or older and a registered organ donor from the requirement to wear a protective helmet when on a motorcycle or autocycle. The bill reduces operating or riding on a motorcycle or autocycle without a protective helmet from a primary offense to a secondary offense, which can be charged only when the offender is stopped for another, separate offense.</p>		
<p><b><u>HB 1903</u></b> - Head (17)  Criminal history record information; limitations on dissemination of information.</p>	<p>1/4/2019 House: Referred to Committee for Courts of Justice</p>	<p><b>1/22/2019</b></p>
<p><b>Amend</b> (19100543D) - Amend to allow public employers to receive criminal history information older than seven years from the date of the request.  <b>Summary:</b> Dissemination of criminal history record information; limitations. Limits the criminal history information that the Central Criminal Records Exchange, or the criminal justice agency in cases of offenses not required to be reported to the Exchange, may provide to a requesting employer or prospective employer to convictions occurring within seven years prior to the request, except for any information related to a felony act of violence or a barrier crime.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 1907</a> - VanValkenburg (72) Localities and school divisions; posting of register of funds expended.</p>	<p>1/4/2019 House: Referred to Committee on Counties, Cities and Towns 1/30/2019 House: Subcommittee recommends laying on the table (7-Y 1-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Amend</b> (19103212D) - Amend to allow flexibility to exclude personally identifiable information of constituents and employees; Board has historically recommended amendment. See also SB 1262 (Sturtevant). <b>Summary:</b> Requires every locality with a population greater than 25,000 and each school division with greater than 5,000 students to post quarterly on the public government website of such locality or school division a register of all funds expended, showing vendor name, date of payment, amount, and a description of the type of expense, including credit card purchases with the same information. The bill allows any locality or school division to exclude from such posting any information that is exempt from mandatory disclosure under the Virginia Freedom of Information Act, any personal identifying information related to a court-ordered payment, and any information related to undercover law-enforcement officers. The bill has a delayed effective date of July 1, 2020.</p>		
<p><a href="#">HB 2103</a> - Freitas (30) Stormwater management plans; erosion and sediment control plans, portion of project.</p>	<p>1/8/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/30/2019 House: Subcommittee recommends laying on the table (8-Y 2-N)</p>	<p>[1/25/2019]</p>
<p>[Oppose] (19104080D) <b>Summary:</b> Stormwater management plans; erosion and sediment control plans; portion of project. Directs the State Water Control Board to establish a procedure that allows an operator to submit stormwater management plans that are sufficient for a particular proposed land-disturbing activity without requiring such plans to cover any subsequent land-disturbing activity anticipated at the same location or an adjacent location. The bill also amends a provision of the law that is not yet effective, directing the establishment of the same procedure as it applies not only to stormwater management plans but also to erosion and sediment control plans.</p>		
<p><a href="#">HB 2467</a> - Roem (13) State Route 28; Department of Transportation to study.</p>	<p>1/9/2019 House: Referred to Committee on Rules 1/29/2019 House: Subcommittee recommends striking from docket (7-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Amend</b> (19102882D) - Amend limits of study to remove segments in Fairfax County. <b>Summary:</b> Department of Transportation to study State Route 28; report. Directs the Department of Transportation to study the feasibility of implementing improvements to State Route 28 between the City of Manassas Park and State Route 29 in Fairfax County.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 2468</a> - Roem (13) State Route 28; Department of Transportation to study.	1/9/2019 House: Referred to Committee on Rules 1/29/2019 House: Subcommittee recommends striking from docket (7-Y 0-N)	<b>1/22/2019</b>
<b>Amend</b> (19102971D) - Amend limits of study to remove segments in Fairfax County. <b>Summary:</b> Department of Transportation to study State Route 28; report. Directs the Department of Transportation to study the feasibility of implementing improvements to State Route 28 between U.S. Route 15 in Fauquier County and State Route 29 in Fairfax County.		
<a href="#">HB 2474</a> - Torian (52) Medical assistance services; expediting application for individuals diagnosed with terminal condition.	1/9/2019 House: Referred to Committee on Health, Welfare and Institutions 1/31/2019 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N)	[1/25/2019]
[Oppose Unless Amended] (HHWI Subcommittee substitute) - Oppose unless amended to return to requiring an expedited review only for applicants with a terminal condition. <b>Summary:</b> Medical assistance services; expediting application for individuals diagnosed with terminal condition. Directs the Department of Medical Assistance Services to develop and implement an expedited review process for applications for community or institutional long-term care services for individuals diagnosed with a terminal condition.		
<a href="#">HB 2495</a> - Tran (42) Fall cankerworm; spraying prohibited during certain months.	1/9/2019 House: Referred to Committee on Counties, Cities and Towns 1/24/2019 House: Subcommittee recommends laying on the table (5-Y 4-N)	<b>1/22/2019</b>
<b>Oppose</b> (19104098D) <b>Summary:</b> Prohibits localities from spraying pesticides intended to suppress an infestation of the fall cankerworm during the period between March 1 and August 1.		
<a href="#">HB 2506</a> - Hodges (98) Chesapeake Bay Preservation Areas; filling low-lying areas.	1/9/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/30/2019 House: Subcommittee recommends striking from docket (10-Y 0-N)	[1/25/2019]
[Oppose] (19104058D) <b>Summary:</b> Directs the State Water Control Board to adopt regulations allowing the owner of residential property in a Chesapeake Bay Preservation Area to deposit appropriate fill material in certain low-lying areas within 50 landward feet of a resource protection area (RPA) located on the property. The bill establishes certain provisions that the regulations shall contain and provides that no filling that is carried out in compliance with such regulations shall (i) be considered a land-disturbing activity for purposes of stormwater management and erosion and sediment control, (ii) require a Virginia Water Protection Permit, or (iii) require a permit from the Virginia Marine Resources Commission. The bill also authorizes certain localities to adopt ordinances establishing a local permit process for projects that disturb less than one acre, and it requires projects that disturb one acre or more of land to follow general permit requirements established in statute.		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 2549</a> - Jones (76) Cluster zoning; density calculation.</p>	<p>1/9/2019 House: Referred to Committee on Counties, Cities and Towns 1/30/2019 House: Subcommittee recommends reporting with amendment (8-Y 0-N) 2/1/2019 House: Reported from Counties, Cities and Towns with amendment (21-Y 0-N)</p>	<p>[1/25/2019]</p>
<p>[Oppose] (19104091D) <b>Summary:</b> Prohibits localities from including areas designated as Resource Protection Areas, pursuant to criteria developed by the State Water Control Board, in a clustering zoning density calculation and provides that nothing in the statute shall require a locality to allow a greater overall density for a clustered development than would be required on a non-clustered development.</p>		
<p><a href="#">HB 2643</a> - Delaney (67) Interstate 66; limits to \$15 the tolls collected on the tolled portion.</p>	<p>1/10/2019 House: Referred to Committee on Transportation 1/24/2019 House: Subcommittee recommends reporting (6-Y 1-N) 1/29/2019 House: Referred from Transportation by voice vote 1/29/2019 House: Referred to Committee on Appropriations 2/1/2019 House: Subcommittee recommends laying on the table (7-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Oppose</b> (19103674D) - Including a maximum fee would impact the traffic flow on I-66 Inside the Beltway and may impact the Concessionaire contract on I-66 Outside the Beltway. <b>Summary:</b> Tolling on Interstate 66. Limits to \$15 the tolls collected on the tolled portion of Interstate 66 east of mile marker 67. The bill expands the limitation to the tolled portion of Interstate 66 east of mile marker 43 upon completion of the Transform 66 Outside the Beltway project.</p>		
<p><a href="#">HB 2686</a> - Knight (81) Zoning Appeals, Board of; changes vote requirement.</p>	<p>1/14/2019 House: Referred to Committee on Counties, Cities and Towns 1/30/2019 House: Subcommittee recommends reporting (7-Y 0-N) 2/1/2019 House: Reported from Counties, Cities and Towns (19-Y 2-N)</p>	<p>[1/25/2019]</p>
<p>[Oppose] (19103623D) <b>Summary:</b> Board of zoning appeals; vote requirement. Changes the vote requirement for certain board of zoning appeals decisions from a majority of the membership to a majority of the membership present and voting.</p>		
<p><a href="#">HB 2736</a> - Hugo (40) Local employee grievance procedure; qualifying grievances by local government employees.</p>	<p>1/16/2019 House: Referred to Committee on Counties, Cities and Towns</p>	<p><b>1/22/2019</b></p>
<p><b>Oppose</b> (19104660D) - Board has historically opposed. <b>Summary:</b> Local employee grievance procedure. Provides that qualifying grievances by local government employees shall advance to a final step as agreed upon by the aggrieved and the local government; however, if an agreement cannot be reached on whether to use a panel hearing or hearing officer, a three-person panel shall be used. The bill contains technical amendments.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><u>HJ 643</u></a> - Webert (18) Composite index of local ability to pay; DOE to study effect of local use value assessment.</p>	<p>1/7/2019 House: Referred to Committee on Rules 1/29/2019 House: Subcommittee recommends striking from docket (7-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Oppose</b> (19100976D) - Board has historically opposed. Rather than modifying individual components of the LCI formula, a comprehensive approach should be taken, including addressing factors relating to cost of living.</p> <p><b>Summary:</b> Study; Department of Education; effect of local use value assessment of certain real estate on the composite index of local ability to pay; report. Requests the Department of Education to (i) determine, for each of the 95 localities that have adopted ordinances to provide for the use value assessment and taxation of certain real estate, the use value of all applicable real estate devoted to (a) agricultural use, (b) horticultural use, (c) forest use, and (d) open-space use, as those terms are defined in the Code of Virginia, and (ii) recalculate the composite index of local ability to pay for each such locality after taking into consideration such use values.</p>		
<p><a href="#"><u>HJ 657</u></a> - Pogge (96) Constitutional amendment; real property tax exemption, surviving spouse of a disabled veteran.</p>	<p>1/8/2019 House: Referred to Committee on Privileges and Elections 1/28/2019 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/1/2019 House: Stricken from docket by Privileges and Elections (21-Y 1-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Amend</b> (19101855D) - Amend to support as a state tax credit. For similar constitutional amendments, the Board has historically sought to amend to support as a state tax credit.</p> <p><b>Summary:</b> Constitutional amendment (first resolution); real property tax exemption; surviving spouse of a disabled veteran; date of veteran's disability and death. Provides that, as of January 1, 2021, the real property tax exemption for the surviving spouse of a 100 percent disabled veteran shall apply regardless of whether the disabled veteran died prior to January 1, 2011. Under the current constitutional real property tax exemption, if a veteran received a 100 percent disability rating and died prior to January 1, 2011, his surviving spouse is not eligible for the exemption pursuant to state statutory law.</p>		
<p><a href="#"><u>SB 1038</u></a> - Peake (22) Voter registration; verification of social security numbers, provisional registration status.</p>	<p>11/15/2018 Senate: Referred to Committee on Privileges and Elections 1/15/2019 Senate: Reported from Privileges and Elections (9-Y 5-N) 1/15/2019 Senate: Re-referred to Finance 1/23/2019 Senate: Reported from Finance with amendment (11-Y 5-N) 1/28/2019 Senate: Read third time and passed Senate (20-Y 18-N) 1/30/2019 House: Referred to Committee on Privileges and Elections</p>	<p><b>1/22/2019</b></p>

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Oppose</b> (19100267D) - Board has historically opposed.</p> <p><b>Summary:</b> Requires the general registrars to verify that the name, date of birth, and social security number provided by an applicant on the voter registration application match the information on file in the Social Security Administration database or other database approved by the State Board of Elections (State Board) before registering such applicant. If the information provided by the applicant does not match the information in such a database, the applicant (i) is provisionally registered to vote and notified as to what steps are needed to be fully registered to vote and (ii) is permitted to vote by provisional ballot, but such ballot shall not be counted until the voter presents certain information. The bill also requires the general registrars to verify annually no later than August 1 that the name, date of birth, and social security number in the registration record of each registered voter in the registrar's jurisdiction match the information on file with the Social Security Administration or other database approved by the State Board and, in accordance with current law, to initiate the cancellation of the registration of any voter whose registration record information does not match the database information. The State Board is authorized to approve the use of any government database to the extent required to enable each general registrar to carry out the provisions of this measure and to promulgate rules for the use of such database. The Department of Elections is required to provide to the general registrars access to the Social Security Administration database and any other database approved by the State Board. The Department of Elections is further required to enter into any agreement with any federal or state agency to facilitate such access. The bill has a delayed effective date of July 1, 2021.</p>		
<p><b><u>SB 1262</u></b> - Sturtevant, Jr. (10) Localities and school divisions; posting of register of funds expended.</p>	<p>1/6/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Reported from Local Government with amendments (9-Y 4-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Amend</b> (19103271D) - Amend to allow flexibility to exclude personally identifiable information of constituents and employees; Board has historically recommended amendment. See also HB 1907 (VanValkenburg).</p> <p><b>Summary:</b> Requires every locality with a population greater than 25,000 and each school division with greater than 5,000 students to post quarterly on the public government website of such locality or school division a register of all funds expended, showing vendor name, date of payment, amount, and a description of the type of expense, including credit card purchases with the same information. The bill allows any locality or school division to exclude from such posting any information that is exempt from mandatory disclosure under the Virginia Freedom of Information Act, any personal identifying information related to a court-ordered payment, and any information related to undercover law-enforcement officers. The bill has a delayed effective date of July 1, 2020.</p>		
<p><b><u>SB 1270</u></b> - Stuart (28) Real property tax; exemption for disabled veterans, surviving spouse's ability to move.</p>	<p>1/7/2019 Senate: Referred to Committee on Finance 1/15/2019 Senate: Reported from Finance (16-Y 0-N) 1/18/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/22/2019 House: Referred to Committee on Finance</p>	<p><b>1/22/2019</b></p>
<p><b>Amend</b> (19101186D) - Amend to support as a state tax credit; Board has historically recommended amendment. See also HB 1655 (Miyares).</p> <p><b>Summary:</b> Real property tax exemption for disabled veterans; surviving spouses; ability to move to a different residence. Enacts as statutory law an amendment to subdivision (a) of Section 6-A of Article X of the</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>Constitution of Virginia that was adopted by the voters on November 6, 2018, which applies the real property tax exemption for the surviving spouse of a disabled veteran to such spouse's principal place of residence regardless of whether such spouse moves to a different residence. The provisions of the bill would apply to taxable years beginning on and after January 1, 2019. The bill makes technical corrections related to the real property tax exemptions for surviving spouses of members of the armed forces killed in action and surviving spouses of certain persons killed in the line of duty.</p>		
<p><b>SB 1369</b> - Norment, Jr. (3) Virginia Public Procurement Act; statute of limitations on actions on construction contracts, etc.</p>	<p>1/8/2019 Senate: Referred to Committee on General Laws and Technology 1/21/2019 Senate: Re-referred to Courts of Justice 1/28/2019 Senate: Reported from Courts of Justice with substitute (13-Y 0-N 1-A) 1/28/2019 Senate: Re-referred to Finance 1/31/2019 Senate: Reported from Finance (15-Y 0-N 1-A)</p>	<p><b>1/22/2019</b></p>
<p><b>Oppose</b> (19101482D) - See also HB 1667 (Kilgore). <b>Summary:</b> Virginia Public Procurement Act; statute of limitations on actions on construction contracts; statute of limitations on actions on performance bonds. Provides that no action may be brought by a public body on any construction contract, including construction management and design-build contracts, unless such action is brought within five years after substantial completion of the work on the project and that no action may be brought by a public body on a warranty or guarantee in such construction contract more than one year from the breach of that warranty, but in no event more than one year after the expiration of such warranty or guarantee. The bill also limits the time frame during which a public body, other than the Department of Transportation, may bring an action against a surety on a performance bond to within one year after substantial completion of the work on the project. Current law allows a public body, other than the Department of Transportation, to bring such an action within one year after (i) completion of the contract, including the expiration of all warranties and guarantees, or (ii) discovery of the defect or breach of warranty that gave rise to the action.</p>		
<p><b>SB 1421</b> - Obenshain (26) Eminent domain; entry upon private property, calculation of just compensation, damages.</p>	<p>1/8/2019 Senate: Referred to Committee for Courts of Justice 1/14/2019 Senate: Reported from Courts of Justice (13-Y 0-N) 1/17/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/21/2019 House: Referred to Committee for Courts of Justice</p>	<p><b>1/22/2019</b></p>
<p><b>Oppose</b> (19103612D) <b>Summary:</b> Eminent domain; entry upon private property; calculation of just compensation; damages. Makes various changes to provisions related to entry upon private property in an eminent domain proceeding, including (i) requiring that the number of persons for whom permission to inspect the premises is sought be included in a request for permission to inspect private property for the purposes of a project wherein the power of eminent domain may be exercised; (ii) requiring the notice of intent to enter the property to include all of the information contained in the request for permission to inspect the property; (iii) requiring the court to award fees for at least three expert witnesses if the petitioner damages the property during its entry; (iv) removing the requirement that the damage must be done maliciously, willfully, or recklessly for the owner to be reimbursed for his costs; and (v) removing the option that the owner may be reimbursed for his costs if the court awards the owner actual damages in an amount 30 percent or more greater than the petitioner's final written offer made no later than 30 days after the filing of an answer in circuit court or the return date in general district court.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#">SB 1430</a> - Obenshain (26) Virginia Conflict of Interest and Ethics Advisory Council; duties.	1/8/2019 Senate: Referred to Committee on Rules 2/1/2019 Senate: Reported from Rules with substitute (15-Y 0-N)	[1/25/2019]
<p>[Amend] (19103492D) - Amend to clarify that training will be online and to ensure parity with the requirements for state officials.</p> <p><b>Summary:</b> Conflict of interest; dual-office holding; duties of Virginia Conflict of Interest and Ethics Advisory Council; training requirement; inquiries from citizens. Requires all local elected officials to take training on the provisions of the State and Local Government Conflict of Interests Act at least once every two years. The bill requires such officials in office on July 1, 2019, to complete such training no later than December 31, 2019. The bill also prohibits an attorney for the Commonwealth from serving simultaneously as a county, city, or town attorney. The bill requires the Virginia Conflict of Interest and Ethics Advisory Council (the Council) to offer guidance to any person who contacts the Council with an inquiry regarding ethics, conflicts issues, or a person's duties under the General Assembly Conflicts of Interests Act, the State and Local Government Conflict of Interests Act, or lobbying laws. Current law requires the Council to offer guidance on such Acts and lobbying laws to state and local government agencies and to those individuals to whom the Acts and lobbying laws apply.</p>		
<a href="#">SB 1545</a> - Sturtevant, Jr. (10) Public schools; alternative accountability process.	1/8/2019 Senate: Referred to Committee on Education and Health 1/24/2019 Senate: Reported from Education and Health with substitute (15-Y 0-N) 1/29/2019 Senate: Read third time and passed Senate (40-Y 0-N)	<b>1/22/2019</b>
<p><b>Amend</b> (19103322D) - Amend to ensure the bill does not impact the County's existing Alternative Accountability Program.</p> <p><b>Summary:</b> Allows a school board to adopt an alternative accountability process to provide a principal and parties involved in an incident involving assault or assault and battery without bodily injury that occurs on a school bus, on school property, or at a school-sponsored event an option to enter into a mutually agreed upon mediation process between the involved parties as an alternative to reporting such incident to law enforcement. The bill requires a principal in a school division with such a process to attempt to engage the parties involved in such an incident in the alternative accountability process prior to reporting such incident to the local law-enforcement agency. The bill prohibits a principal from reporting such an incident when the parties successfully complete the alternative accountability process.</p>		
<a href="#">SB 1567</a> - Marsden (37) Towing fees; sets maximum towing hookup and initial towing fees.	1/9/2019 Senate: Referred to Committee on Transportation 1/30/2019 Senate: Reported from Transportation with substitute (13-Y 0-N)	<b>1/22/2019</b>
<p><b>Oppose Unless Amended</b> (19101339D) - Oppose unless amended to limit fee increases.</p> <p><b>Summary:</b> Towing fees. Sets maximum towing hookup and initial towing fees at \$150 for all localities. Current law authorizes local governing bodies to set towing fee limits different from the maximums retained by the bill.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>SB 1578</u></b> - Suetterlein (19) Reckless driving; exceeding speed limit.</p>	<p>1/9/2019 Senate: Referred to Committee on Transportation 1/23/2019 Senate: Reported from Transportation (11-Y 2-N) 1/29/2019 Senate: Read third time and passed Senate (35-Y 5-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Oppose</b> (19101770D) - Board has historically opposed. <b>Summary:</b> Raises from 80 to 85 miles per hour the speed above which a person who drives a motor vehicle on the highways in the Commonwealth is guilty of reckless driving regardless of the applicable maximum speed limit.</p>		
<p><b><u>SB 1701</u></b> - Ebbin (30) Short-term rentals; regulation, urban county executive form of government.</p>	<p>1/15/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Reported from Local Government with amendment (9-Y 4-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Oppose</b> (19104398D) <b>Summary:</b> Regulation of short-term rentals; urban county executive form of government. Requires any ordinance adopted by the governing body of any county that operates under the urban county executive form of government (Fairfax County) relating to regulation of short-term rentals to comply with various provisions related to the short-term rental of property, including limits on (i) the total number of nights permitted for short-term rental on the short-term rental operator's property and (ii) the number of short-term rental properties owned by any one person or entity. The bill also requires such ordinance to comply with various Code of Virginia provisions related to zoning enforcement, the Virginia Uniform Statewide Building Code, real estate licensing, common interest communities, and covered entities otherwise regulated by localities.</p>		

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# *Fairfax County Positions*

*(Support)*

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<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
<p><a href="#"><b>HB 1615</b></a> - Landes (25) Elections; date of June primary election.</p>	<p>8/28/2018 House: Referred to Committee on Privileges and Elections 1/30/2019 House: Subcommittee recommends reporting (6-Y 0-N) 2/1/2019 House: Reported from Privileges and Elections (19-Y 3-N)</p>	<p>[1/25/2019]</p>
<p>[Support] (19100239D) <b>Summary:</b> Changes the date of the primary election held in June from the second Tuesday in June to the third Tuesday in June. The bill also changes candidate filing deadlines to reflect the change of date.</p>		
<p><a href="#"><b>HB 1628</b></a> - Hayes, Jr. (77) Absentee voting; persons age 65 or older.</p>	<p>10/23/2018 House: Referred to Committee on Privileges and Elections 1/29/2019 House: Subcommittee recommends laying on the table (4-Y 2-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19100383D) - Board has historically supported. <b>Summary:</b> Absentee voting; eligibility of persons age 65 or older. Entitles a person who will be age 65 or older on the day of an election to vote by absentee ballot in that election.</p>		
<p><a href="#"><b>HB 1641</b></a> - Herring (46) Absentee voting; no-excuse absentee.</p>	<p>11/26/2018 House: Referred to Committee on Privileges and Elections 1/29/2019 House: Subcommittee recommends laying on the table (4-Y 2-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19100922D) - Board has historically supported. See also SB 1026 (Spruill), SB 1035 (Locke), and SB 1672 (Locke). <b>Summary:</b> Permits any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons under which a person may be entitled to vote by absentee ballot and removes references to those reasons from other sections of the Code.</p>		
<p><a href="#"><b>HB 1645</b></a> - Bourne (71) Virginia Fair Housing Law; unlawful discriminatory housing practices.</p>	<p>11/27/2018 House: Referred to Committee on Rules 1/18/2019 House: Referred from Rules by voice vote 1/18/2019 House: Referred to Committee on General Laws</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19100302D) - Board has historically supported. <b>Summary:</b> Adds discrimination on the basis of a person's source of income to the list of unlawful discriminatory housing practices. The bill defines "source of income" as any source that lawfully provides funds to or on behalf of a renter or buyer of housing, including any assistance, benefit, or subsidy program, whether such program is administered by a governmental or nongovernmental entity.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 1695</a> - Fariss (59)                      Passing a stopped school bus; civil penalty.</p>	<p>12/11/2018 House: Referred to Committee on Transportation                      1/17/2019 House: Referred from Transportation by voice vote                      1/17/2019 House: Referred to Committee for Courts of Justice                      1/23/2019 House: Subcommittee recommends laying on the table (8-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19101584D)  <b>Summary:</b> Increases from \$250 to \$500 the civil penalty for passing a stopped school bus.</p>		
<p><a href="#">HB 1698</a> - Fariss (59)                      Zoning Appeals, Board of; written order, certified mail.</p>	<p>12/11/2018 House: Referred to Committee on Counties, Cities and Towns                      1/16/2019 House: Subcommittee recommends reporting (6-Y 0-N)                      1/18/2019 House: Reported from Counties, Cities and Towns (20-Y 0-N)                      1/24/2019 House: Read third time and passed House BLOCK VOTE (96-Y 0-N)                      1/24/2019 House: Reconsideration of passage agreed to by House                      1/24/2019 House: Passed House BLOCK VOTE (97-Y 0-N)                      1/25/2019 Senate: Referred to Committee on Local Government</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19102389D)  <b>Summary:</b> Board of Zoning Appeals; written order; certified mail. Authorizes a locality to send a zoning administrator's appeal order using certified mail. Current law allows such an order to be sent only by registered mail.</p>		
<p><a href="#">HB 1743</a> - Bulova (37)                      Pharmacist; counseling for new prescriptions, disposal of medicine.</p>	<p>12/20/2018 House: Referred to Committee on Health, Welfare and Institutions                      1/17/2019 House: Subcommittee recommends reporting (10-Y 0-N)                      1/22/2019 House: Reported from Health, Welfare and Institutions (22-Y 0-N)                      1/28/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)                      1/29/2019 Senate: Referred to Committee on Education and Health</p>	<p>[1/25/2019]</p>
<p>[Support] (19101425D) - See also SB 1405 (Dance).  <b>Summary:</b> Pharmacist; counseling for new prescriptions; disposal of medicine. Allows a pharmacist to include information regarding the proper disposal of medicine when giving counsel to a person who presents a new prescription for filling.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><b>HB 1772</b> - Mullin (93) Virginia Freedom of Information Advisory Council; advisory opinions, evidence in civil proceeding.</p>	<p>12/26/2018 House: Referred to Committee on General Laws 1/15/2019 House: Subcommittee recommends reporting (8-Y 0-N) 1/17/2019 House: Reported from General Laws (22-Y 0-N) 1/17/2019 House: Referred to Committee for Courts of Justice 1/23/2019 House: Subcommittee recommends reporting (6-Y 0-N) 1/25/2019 House: Reported from Courts of Justice (17-Y 0-N) 1/31/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19100432D) <b>Summary:</b> Virginia Freedom of Information Advisory Council; advisory opinions; evidence in civil proceeding. Provides that any officer, employee, or member of a public body alleged to have willfully and knowingly violated the Virginia Freedom of Information Act who acted in good faith reliance upon an advisory opinion issued by the Virginia Freedom of Information Advisory Council may introduce such advisory opinion as evidence that the alleged violation was not made willfully and knowingly. The bill contains technical amendments. This bill is a recommendation of the Virginia Freedom of Information Advisory Council.</p>		
<p><b>HB 1822</b> - Bulova (37) Virginia Water Quality Improvement Fund; grant for wastewater conveyance facility, etc.</p>	<p>1/1/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/16/2019 House: Subcommittee recommends reporting with amendment (9-Y 1-N) 1/16/2019 House: Subcommittee recommends referring to Committee on Appropriations 1/16/2019 House: Reported from Agriculture, Chesapeake and Natural Resources with amendment (22-Y 0-N) 1/16/2019 House: Referred to Committee on Appropriations 1/23/2019 House: Subcommittee recommends reporting (7-Y 0-N) 1/30/2019 House: Reported from Appropriations (22-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19103598D) <b>Summary:</b> Virginia Water Quality Improvement Fund; grant for wastewater conveyance facility; estimates of future funding requests; Stormwater Local Assistance Fund. Authorizes the Director of the Department of Environmental Quality (the Department) to authorize grants from the Virginia Water Quality Improvement Fund (the Fund) for the installation of certain wastewater conveyance infrastructure. Any such infrastructure shall divert wastewater from one publicly owned treatment works that is eligible for grant funding to another such eligible treatment works and shall result in no more expense to the Fund than would otherwise be incurred to install eligible nutrient removal technology or other treatment technology at the treatment works from which the wastewater will be diverted.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><b>HB 1843</b></a> - Bloxom, Jr. (100) Driver privilege cards; penalty.</p>	<p>1/2/2019 House: Referred to Committee on Transportation 1/25/2019 House: Subcommittee recommends laying on the table (4-Y 2-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19101370D) <b>Summary:</b> Authorizes the issuance of new driver privilege cards by the Department of Motor Vehicles to an applicant who (i) has reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months; (ii) is not in violation of the insurance requirements for the registration of an uninsured motor vehicle; and (iii) provides an unexpired passport as proof of identity. The bill provides that driver privilege cards shall confer the same privileges and shall be subject to the same provisions as driver's licenses and permits; however, driver privilege cards shall not (a) confer voting privileges, (b) permit an individual to waive any part of the driver examination, or (c) have their issuance be contingent upon the applicant's ability to produce proof of legal presence in the United States. The bill provides for the term "driver's license" to consistently refer to all driver's licenses, permits, driver privilege cards, and special identification cards issued by the Commonwealth or the comparable law of another jurisdiction. The bill allows the issuance of a limited-duration driver's license and special identification card to an applicant presenting valid documentary evidence that a federal court or federal agency having jurisdiction over immigration has authorized the applicant to be in the United States for a period of at least 30 days from the date of application. The bill authorizes the Tax Commissioner to provide to the Commissioner of the Department of Motor Vehicles information sufficient to verify that an applicant for a driver privilege card or permit reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months. The bill has a delayed effective date of January 1, 2020.</p>		
<p><a href="#"><b>HB 1870</b></a> - Sickles (43) Certificate of public need; nursing homes and hospitals, disaster exemption.</p>	<p>1/3/2019 House: Referred to Committee on Health, Welfare and Institutions 1/24/2019 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 1/30/2019 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 1/30/2019 House: Reconsideration of passage agreed to by House 1/30/2019 House: Passed House BLOCK VOTE (99-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19101516D) - See also HB 2451 (Bell, Richard P.) and SB 1277 (Barker). <b>Summary:</b> Certificate of public need; nursing homes and hospitals; disaster exemption. Provides for a 30-day exemption from the requirement to obtain a certificate of public need for an increase in the total number of beds in nursing homes or hospitals if the State Health Commissioner has determined that a natural or man-made disaster has caused the evacuation of nursing homes or hospitals and that a public health emergency exists due to a shortage of nursing home or hospital beds.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><b>HB 1871</b></a> - Jones (89) Virginia Initiative for Employment Not Welfare (VIEW); transitional child care.</p>	<p>1/3/2019 House: Referred to Committee on Health, Welfare and Institutions                      1/17/2019 House: Subcommittee recommends reporting (10-Y 0-N)                      1/17/2019 House: Subcommittee recommends referring to Committee on Appropriations                      1/22/2019 House: Reported from Health, Welfare and Institutions (21-Y 0-N)                      1/22/2019 House: Referred to Committee on Appropriations                      1/28/2019 House: Subcommittee recommends reporting (8-Y 0-N)                      1/30/2019 House: Reported from Appropriations (22-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19101902D)  <b>Summary:</b> Allows VIEW participants whose Temporary Assistance for Needy Families financial assistance is terminated to receive child care assistance for up to 12 months after termination if the individual is enrolled in an accredited public institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education for Virginia and is taking courses as part of a curriculum that leads to a postsecondary credential, such as a degree or an industry-recognized credential, certification, or license. Under current law, such child care assistance is only available if it enables the individual to work.</p>		
<p><a href="#"><b>HB 1879</b></a> - Convirs-Fowler (21) Stormwater management facilities; private residential lots, disclosure.</p>	<p>1/3/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources                      1/16/2019 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote                      1/16/2019 House: Referred to Committee on General Laws                      1/22/2019 House: Subcommittee recommends laying on the table (6-Y 2-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19101519D)  <b>Summary:</b> Stormwater management facilities; private residential lots; disclosure. Directs the State Water Control Board to adopt regulations requiring any local stormwater management authority that requires a residential landowner to maintain a stormwater management facility on his property to record with the deed for the property a statement of the specifications and requirements and a schedule of audits of the facility. The bill requires the seller of any property with such a facility to disclose the specifications, requirements, and schedule of audits to a purchaser of the property.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><b>HB 1891</b> - James (80) Food stamps; eligibility, drug-related felonies.</p>	<p>1/4/2019 House: Referred to Committee on Health, Welfare and Institutions                      1/22/2019 House: Subcommittee recommends reporting with amendment (6-Y 4-N)                      1/22/2019 House: Subcommittee recommends referring to Committee on Appropriations                      1/24/2019 House: Reported from Health, Welfare and Institutions with amendment (15-Y 7-N)                      1/24/2019 House: Referred to Committee on Appropriations                      1/29/2019 House: Subcommittee recommends reporting with substitute (5-Y 2-N)                      1/30/2019 House: Tabled in Appropriations (12-Y 10-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19101723D) - Board has historically supported. See also SB 1129 (Locke).  <b>Summary:</b> Eligibility for food stamps; drug-related felonies. Provides that a person who is otherwise eligible to receive food stamp benefits shall not be denied such assistance solely because he has been convicted of a drug-related felony. Under current law, such individuals may not be denied food stamp benefits based on a felony conviction of possession of a controlled substance, provided that such person is complying with, or has already complied with, all obligations imposed by the criminal court, is actively engaged in or has completed a substance abuse treatment program, participates in periodic drug screenings, and fulfills any other obligations as determined by the Department of Social Services.</p>		
<p><b>HB 1914</b> - Herring (46) Public health practitioners; requirements for issuing prescriptions, exceptions.</p>	<p>1/4/2019 House: Referred to Committee on Health, Welfare and Institutions                      1/17/2019 House: Subcommittee recommends reporting (10-Y 0-N)                      1/22/2019 House: Reported from Health, Welfare and Institutions (22-Y 0-N)                      1/28/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)                      1/29/2019 Senate: Referred to Committee on Education and Health</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19101794D)  <b>Summary:</b> Requirements for issuing prescriptions; exceptions for public health practitioners. Authorizes practitioners contracted by the Department of Health and practitioners employed or contracted by a local health department to prescribe antibiotic therapy to the sexual partner of a patient diagnosed with a sexually transmitted disease without the physical examination normally required. Under current law, only employees of the Department of Health are so authorized. Additionally, the bill authorizes a practitioner, who is an employee of or contracted by the Department of Health or a local health department, to prescribe Schedule VI antibiotics and antiviral agents to other persons in close contact with a diagnosed patient without a bona-fide practitioner-patient relationship with the diagnosed patient when emergency treatment is necessary to prevent imminent risk of death, life-threatening illness, or serious disability.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 1959</a> - Toscano (57) Absentee voting; no-excuse in-person available 21 days prior to election.</p>	<p>1/6/2019 House: Referred to Committee on Privileges and Elections 1/29/2019 House: Subcommittee recommends laying on the table (4-Y 2-N)</p>	<p><b>1/22/2019</b></p>

**Support with Amendment** (19102642D) - Support with amendments to facilitate implementation. Board has historically supported with amendments.  
**Summary:** Allows for any registered voter to vote by absentee ballot in person beginning on the twenty-first day prior to any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill makes absentee voting in person available beginning on the forty-fifth day prior to the election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting an absentee ballot by mail or in person prior to the twenty-first day before the election, including the application requirement and the list of statutory reasons for absentee voting.

<p><a href="#">HB 1977</a> - Sullivan, Jr. (48) Voter identification; accepted forms of identification.</p>	<p>1/7/2019 House: Referred to Committee on Privileges and Elections 1/29/2019 House: Subcommittee recommends laying on the table (4-Y 2-N)</p>	<p><b>1/22/2019</b></p>
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**Support** (19100529D) - Board has historically supported.  
**Summary:** Adds to the list of acceptable forms of voter identification a valid student photo identification card issued by any institution of higher education located in any other state or territory of the United States. Current law allows students from any institution of higher education located in the Commonwealth to use their student photo identification cards for purposes of voting.

<p><a href="#">HB 1994</a> - Price (95) Child care providers; fingerprint background checks.</p>	<p>1/7/2019 House: Referred to Committee on Health, Welfare and Institutions 1/17/2019 House: Reported from Health, Welfare and Institutions with amendment (22-Y 0-N) 1/17/2019 House: Referred to Committee on Appropriations 1/28/2019 House: Subcommittee recommends laying on the table (5-Y 3-N)</p>	<p><b>1/22/2019</b></p>
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**Support** (19102000D) - See also SB 1407 (Mason).  
**Summary:** Allows local law-enforcement agencies to process and submit requests for national fingerprint background checks required for (i) applicants for licensure as a child day center, family day home, or family day system, registration as a family day home, or approval as a family day home by a family day system; (ii) agents of an applicant for licensure as a child day center, family day home, or family day system, registration as a family day home, or approval as a family day home by a family day system at the time of application who is or will be involved in the day-to-day operations of the child day center, family day home, or family day system, or who is or will be alone with, in control of, or supervising one or more of the children; (iii) adults living in such child day center or family day home; and (iv) employees and volunteers of any child day center, family day home, or family day system licensed in accordance with the provisions of this chapter, child day center exempt from licensure, registered family day home, family day home approved by a family day system, or child day center, family day home, or child day program that enters into a contract with the Department or a local department to provide child care services funded by the Child Care and Development Block Grant.

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<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
<p><a href="#"><b>HB 2017</b></a> - Peace (97) Auxiliary grants; supportive housing.</p>	<p>1/7/2019 House: Referred to Committee on Health, Welfare and Institutions 1/15/2019 House: Subcommittee recommends reporting (10-Y 0-N) 1/17/2019 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 1/21/2019 House: Referred to Committee on Appropriations 1/28/2019 House: Subcommittee recommends reporting with amendment (8-Y 0-N) 1/30/2019 House: Reported from Appropriations with amendment (22-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19102319D) <b>Summary:</b> Allows individuals receiving auxiliary grants to select supportive housing without any requirement that such individuals wait until their first or any subsequent annual reassessment to make such a selection. The bill directs the Commissioner for Aging and Rehabilitative Services to (i) promulgate regulations to implement the provisions of the bill within 180 days of its enactment and (ii) develop guidance documents for implementation of the provisions of the bill no later than February 1, 2020.</p>		
<p><a href="#"><b>HB 2019</b></a> - Murphy (34) Residential real property; required disclosures of stormwater management facilities.</p>	<p>1/7/2019 House: Referred to Committee on General Laws 1/29/2019 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 1/31/2019 House: Reported from General Laws with substitute (21-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19101112D) <b>Summary:</b> Residential real property; required disclosures; stormwater management facilities. Requires (i) residential real property owners to disclose the presence of any stormwater management facilities located on the owner's property and any maintenance agreement for such facilities and (ii) residential real property owners subject to the declaration of a property owners' association to disclose the presence of any stormwater management facilities that the association has the obligation to repair, replace, or restore and any maintenance agreements for such facilities. The bill requires property owners' associations to disclose in the required association disclosure packet the presence of any stormwater management facilities that the association has the obligation to repair, replace, or restore and any maintenance agreement for such facilities.</p>		
<p><a href="#"><b>HB 2025</b></a> - Tran (42) Driver privilege cards; penalty.</p>	<p>1/7/2019 House: Referred to Committee on Transportation 1/25/2019 House: Subcommittee recommends laying on the table (4-Y 2-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19103137D) <b>Summary:</b> Authorizes the issuance of new driver privilege cards by the Department of Motor Vehicles to an applicant who (i) has reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months and (ii) is not in violation of the insurance requirements for the registration of an uninsured motor vehicle. The bill provides that driver privilege cards shall confer the same privileges and shall be subject to the same provisions as driver's licenses and permits; however, driver privilege cards shall not (a) confer voting privileges, (b) permit an individual to waive any part of the driver examination, or (c) have their issuance be contingent upon the</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>applicant's ability to produce proof of legal presence in the United States. The bill provides for the term "driver's license" to consistently refer to all driver's licenses, permits, driver privilege cards, and special identification cards issued by the Commonwealth or the comparable law of another jurisdiction. The bill allows the issuance of a limited-duration driver's license and special identification card to an applicant presenting valid documentary evidence that a federal court or federal agency having jurisdiction over immigration has authorized the applicant to be in the United States for a period of at least 30 days from the date of application. The bill authorizes the Tax Commissioner to provide to the Commissioner of the Department of Motor Vehicles information sufficient to verify that an applicant for a driver privilege card or permit reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months. The bill has a delayed effective date of January 1, 2020.</p>		
<p><b>HB 2033</b> - Murphy (34) Turns into or out of certain residential areas; resident permits.</p>	<p>1/7/2019 House: Referred to Committee on Counties, Cities and Towns 1/30/2019 House: Subcommittee recommends reporting (8-Y 0-N) 2/1/2019 House: Reported from Counties, Cities and Towns (22-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (1910114D) - Board has historically supported. <b>Summary:</b> Allows counties that operate under the urban county executive form of government (Fairfax County) by ordinance to develop a program to issue permits or stickers to residents of a designated area that will allow such residents to make turns into or out of the designated area during certain times of day where such turns would otherwise be restricted.</p>		
<p><b>HB 2067</b> - Bell (87) Public employment; prohibits discrimination on basis of sexual orientation or gender identity.</p>	<p>1/7/2019 House: Referred to Committee on Rules 1/28/2019 House: Referred from Rules by voice vote 1/28/2019 House: Referred to Committee on General Laws</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19102588D) - Board has historically supported. <b>Summary:</b> Nondiscrimination in public employment. Prohibits discrimination in public employment on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran.</p>		
<p><b>HB 2070</b> - Bell (87) Energy saving products; tax deduction.</p>	<p>1/7/2019 House: Referred to Committee on Finance 1/30/2019 House: Subcommittee recommends striking from docket (7-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19102583D) <b>Summary:</b> Tax deduction for energy saving products. Establishes a tax deduction for the amount a taxpayer pays for energy saving products, not to exceed \$10,000. Energy saving products are defined as being either (i) solar panels or (ii) products that meet the requirements of the Energy Star program established by the U.S. Environmental Protection Agency and the U.S. Department of Energy. To qualify for the deduction, the taxpayer must spend at least \$1,000 on energy saving products. The bill also provides that a person may not claim both this deduction and the existing deduction for certain energy efficient products during the same taxable year.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 2155</a> - Plum (36) Vehicles stopped at crosswalks; prohibition on passing.	1/8/2019 House: Referred to Committee on Transportation 1/29/2019 House: Subcommittee failed to recommend reporting (4-Y 6-N)	<b>1/22/2019</b>
<p><b>Support</b> (19101728D)  <b>Summary:</b> Prohibits the driver of a vehicle from overtaking and passing a vehicle stopped at a marked crosswalk to permit a pedestrian to cross the highway.</p>		
<a href="#">HB 2158</a> - Plum (36) Naloxone; expands list of individuals who may dispense.	1/8/2019 House: Referred to Committee on Health, Welfare and Institutions 1/23/2019 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 1/29/2019 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N)	[1/25/2019]
<p>[Support] (19104132D)  <b>Summary:</b> Dispensing of naloxone. Expands the list of individuals who may dispense naloxone pursuant to a standing order to include emergency medical services personnel and health care providers providing services in hospital emergency departments and eliminates the requirements (i) that an organization providing services to individuals at risk of experiencing an opioid overdose or training in the administration of naloxone for overdose reversal obtain a controlled substances registration prior to dispensing naloxone, (ii) that naloxone dispensed on behalf of the organization be dispensed by a person who is authorized to train individuals on the administration of naloxone, and (iii) that individuals to whom naloxone is dispensed complete a training program prior to dispensing. The bill also provides that a person who dispenses naloxone shall not be required to obtain a permit to operate a pharmacy or a controlled substances registration and allows a person who dispenses naloxone to charge a fee for dispensing of naloxone provided the fee is no greater than the cost to the organization of obtaining the naloxone dispensed.</p>		
<a href="#">HB 2189</a> - Kilgore (1) Local government; taxing authority.	1/8/2019 House: Referred to Committee on Counties, Cities and Towns 1/30/2019 House: Subcommittee recommends laying on the table (7-Y 0-N)	<b>1/22/2019</b>
<p><b>Support</b> (19101905D) - Board has historically supported. See also SB 1127 (Favola).  <b>Summary:</b> Local government taxing authority. Equalizes municipal taxing authority and county taxing authority by granting a county the same authority available to a municipality through the uniform charter powers. The bill has a delayed effective date of July 1, 2020, prior to which the Joint Subcommittee on Local Government Fiscal Stress shall review the bill and develop recommended legislation to make any other amendments necessary to the Code of Virginia to effectuate its provisions.</p>		
<a href="#">HB 2273</a> - Webert (18) Passing stopped school bus; use while passing stopped school bus.	1/8/2019 House: Referred to Committee for Courts of Justice 1/21/2019 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 1/25/2019 House: Reported from Courts of Justice with substitute (16-Y 0-N) 1/31/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)	<b>1/22/2019</b>

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Support</b> (19100523D)  <b>Summary:</b> Passing stopped school bus; civil penalty. Increases the civil penalty for passing a stopped school bus from \$250 to \$300. The bill creates an increased penalty of \$600 for any driver who passes a stopped school bus while holding or manually manipulating a handheld personal communications device.</p>		
<p><b>HB 2329</b> - Keam (35)                      Distributed renewable energy; promotes establishment of solar and other renewable energy.</p>	<p>1/8/2019 House: Referred to Committee on Commerce and Labor                      1/31/2019 House: Failed to report (defeated) in Commerce and Labor (7-Y 8-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19103955D)  <b>Summary:</b> Distributed renewable energy. Promotes the establishment of distributed renewable solar and other renewable energy. The measure (i) removes the one percent cap on the total amount of renewable energy that can be net metered in a utility's service territory, (ii) authorizes third-party power purchase agreements for all customer classes throughout the Commonwealth, (iii) allows local governments and certain other public bodies to install solar or wind facilities of up to five megawatts on government-owned property and use the electricity for government-owned buildings, (iv) allows all net metering customers to attribute output from a single solar array to multiple meters, (v) allows the owner of a multi-family residential building or the common areas of a condominium to install a renewable energy generation facility and sell the electricity to tenants or condominium unit owners, (vi) removes the restriction on customers installing a net-metered generation facility larger than that required to meet their previous 12 months' demand, (vii) raises the cap for net-metered nonresidential generation facilities from one megawatt to two megawatts, and (viii) removes the ability of utilities to assess standby charges. The measure also amends the Commonwealth Energy Policy to include provisions supporting distributed generation of renewable energy.</p>		
<p><b>HB 2342</b> - Thomas, Jr. (28)                      Conditional rezoning proffers; extensive changes to conditional zoning provisions.</p>	<p>1/8/2019 House: Referred to Committee on Counties, Cities and Towns                      1/16/2019 House: Subcommittee recommends reporting with substitute (6-Y 1-N)                      1/18/2019 House: Reported from Counties, Cities and Towns with substitute (18-Y 2-N)                      1/24/2019 House: Read third time and passed House (90-Y 7-N)                      1/25/2019 Senate: Referred to Committee on Local Government</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19104992D-H1) - See also SB 1373 (Favola).  <b>Summary:</b> Conditional rezoning proffers. Makes extensive changes to conditional zoning provisions first enacted in 2016. Specific amendments include provisions stating that no locality shall "require" any unreasonable proffer. Under current law, no locality may "request or accept" any unreasonable proffer. Other changes include (i) allowing an applicant to submit any offsite proffer that the applicant deems reasonable and appropriate, as conclusively evidenced by the signed proffers, and (ii) provisions stating that nothing in the bill shall be deemed or interpreted to prohibit communications between an applicant or owner and the locality or shall be deemed or interpreted to prohibit presentation, analysis, or discussion of the potential impacts of new residential development or other new residential use on the locality's public facilities. Subsequent enactment clauses state that (a) the bill shall be effective as to any application for a</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>rezoning filed on or after July 1, 2019, or for a proffer condition amendment amending a rezoning which was filed on or after July 1, 2019, or to any then pending rezoning application in which the applicant elects to proceed hereunder, by amendment of that pending application, and (b) an applicant with a pending application for a rezoning or proffer condition amendment that was filed prior to July 1, 2016, may continue to proceed under the law as it existed prior to that date, and an applicant with a pending rezoning application filed after July 1, 2016, but before July 1, 2019, or proffer condition amendment application amending a rezoning for which the application was filed after July 1, 2016, but before July 1, 2019, may continue to proceed under the law as it existed during that period.</p>		
<p><a href="#">HB 2344</a> - Bell (58) Motor Vehicles, Department of; records released to certain private vendors.</p>	<p>1/8/2019 House: Referred to Committee for Courts of Justice 1/23/2019 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 1/25/2019 House: Reported from Courts of Justice with substitute (16-Y 0-N) 1/31/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19102619D) <b>Summary:</b> Department of Motor Vehicle records; certain private vendors; penalty. Requires the Department of Motor Vehicles to release certain vehicle owner data, upon request, to a private vendor operating a video-monitoring system on or in a school bus. The bill limits how such data can be used and stored and provides that it is a Class 1 misdemeanor to violate such limitations.</p>		
<p><a href="#">HB 2359</a> - Jones (76) Capital outlay plan; updates six-year plan for projects.</p>	<p>1/8/2019 House: Referred to Committee on Appropriations</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19103644D) - The County supports funding for a Northern Virginia regional science center which is included in the capital outlay plan. <b>Summary:</b> Capital outlay plan. Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.</p>		
<p><a href="#">HB 2421</a> - Levine (45) Discrimination; sexual orientation and gender identity.</p>	<p>1/8/2019 House: Referred to Committee on Rules 1/28/2019 House: Referred from Rules by voice vote 1/28/2019 House: Referred to Committee on General Laws</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19100256D) - Board has historically supported. <b>Summary:</b> Prohibited discrimination; sexual orientation and gender identity. Prohibits discrimination in employment, public accommodation, public contracting, apprenticeship programs, housing, banking, and insurance on the basis of sexual orientation or gender identity. The bill codifies existing prohibited discrimination in public employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran and adds discrimination based on sexual orientation or gender identity to the list of unlawful discriminatory housing practices. The bill contains technical amendments.</p>		

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<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
<p><b><u>HB 2451</u></b> - Bell (20) Certificate of public need; nursing homes and hospitals, disaster exemption.</p>	<p>1/9/2019 House: Referred to Committee on Health, Welfare and Institutions 1/31/2019 House: Tabled in Health, Welfare and Institutions (22-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19101416D) - See also HB 1870 (Sickles) and SB 1277 (Barker). <b>Summary:</b> Certificate of public need; nursing homes and hospitals; disaster exemption. Provides for a 30-day exemption from the requirement to obtain a certificate of public need for an increase in the total number of beds in nursing homes or hospitals if the State Health Commissioner has determined that a natural or man-made disaster has caused the evacuation of nursing homes or hospitals and that a public health emergency exists due to a shortage of nursing home or hospital beds.</p>		
<p><b><u>HB 2504</u></b> - Murphy (34) Protective orders; possession of firearms, penalties.</p>	<p>1/9/2019 House: Referred to Committee for Courts of Justice</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19103833D) <b>Summary:</b> Protective orders; possession of firearms; penalties. Provides that it is a Class 6 felony for a person who is subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) for subjecting another person to an act of violence, force, or threat to possess a firearm while the order is in effect. This penalty is equivalent to the existing penalty for possession of a firearm by a person subject to a permanent protective order for family abuse. The bill also provides that such person may continue to possess and transport a firearm for 24 hours after being served with the order for the purposes of selling or transferring the firearm to another person. The bill requires that any person who is prohibited from possessing a firearm because he is subject to a permanent protective order certify in writing to the clerk of the court that issued the order within 48 hours after being served with the order that any firearm in his possession has been sold or transferred. The bill provides that failure to file such certification is a Class 1 misdemeanor.</p>		
<p><b><u>HB 2510</u></b> - Hugo (40) Judges; maximum number in nineteenth judicial district.</p>	<p>1/9/2019 House: Referred to Committee for Courts of Justice 1/28/2019 House: Subcommittee recommends reporting (8-Y 0-N) 1/28/2019 House: Subcommittee recommends referring to Committee on Appropriations 1/30/2019 House: Reported from Courts of Justice (18-Y 0-N) 1/30/2019 House: Referred to Committee on Appropriations 2/1/2019 House: Subcommittee recommends laying on the table (6-Y 1-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19101667D) - See also SB 1121 (Petersen). <b>Summary:</b> Maximum number of judges in each judicial district. Increases from 11 to 12 the maximum number of authorized general district court judgeships in the nineteenth judicial district. This bill is a recommendation of the Committee on District Courts.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><b>HB 2513</b></a> - Hugo (40) Workers' compensation; occupation disease presumptions, PTSD.</p>	<p>1/9/2019 House: Referred to Committee on Commerce and Labor 1/29/2019 House: Subcommittee recommends reporting (5-Y 3-N) 1/29/2019 House: Subcommittee recommends referring to Committee on Appropriations 1/31/2019 House: Reported from Commerce and Labor (15-Y 4-N) 1/31/2019 House: Referred to Committee on Appropriations</p>	<p>[1/25/2019]</p>
<p>[Support] (19102118D) - Also support the Joint Legislative Audit and Review Commission's comprehensive study of workers' compensation. <b>Summary:</b> Workers' compensation; occupation disease presumptions; PTSD. Establishes a presumption that if certain firefighters, law-enforcement officers, hazardous materials officers, animal protection police officers, or 9-1-1 emergency call takers, dispatchers, or similarly situated employees (i) receive a diagnosis of post-traumatic stress disorder (PTSD) from a licensed physician, licensed clinical psychologist, licensed professional counselor, or licensed clinical social worker; (ii) suffer death or any impairment resulting in total or partial disability from work caused by the PTSD; and (iii) receive a statement from such a provider that the PTSD was caused by a single critical event or multiple exposures to critical events that occurred in the course of the employment, then the PTSD is an occupational disease, suffered in the line of duty, that is covered by the Virginia Workers' Compensation Act unless such presumption is overcome by a preponderance of competent evidence to the contrary. The measure provides that a "critical event" includes an event that results in serious injury or death to an individual; deals with a minor who has been injured, killed, abused, exploited, or a victim of a crime; deals with mass casualties; results in injury to or the death of a coworker; involves an immediate threat to the life of the claimant or another individual; or involves the abuse, cruelty, injury, exploitation, or death of an animal.</p>		
<p><a href="#"><b>HB 2528</b></a> - Hugo (40) Felony homicide; certain drug offenses, penalty.</p>	<p>1/9/2019 House: Referred to Committee for Courts of Justice 1/30/2019 House: Subcommittee recommends reporting (8-Y 0-N) 2/1/2019 House: Reported from Courts of Justice (14-Y 4-N)</p>	<p>[1/25/2019]</p>
<p>[Support] (19101005D) - Board has historically supported. <b>Summary:</b> Felony homicide; certain drug offenses; penalty. Provides that a person is guilty of felony homicide, which constitutes second degree murder and is punishable by confinement of not less than five nor more than 40 years, if the underlying felonious act that resulted in the killing of another involved the manufacture, sale, gift, or distribution of a Schedule I or II controlled substance to another and (i) such other person's death results from his use of the controlled substance and (ii) the controlled substance is the proximate cause of his death. The bill also provides that venue for a prosecution of this crime shall lie in the locality where the underlying felony occurred, where the use of the controlled substance occurred, or where death occurred. This bill serves to overrule the Court of Appeals of Virginia decision in Woodard v. Commonwealth, 61 Va. App. 567, 739 S.E.2d 220 (2013), aff'd, 287 Va. 276, 754 S.E.2d 309 (2014).</p>		

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<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
<p><b><u>HB 2553</u></b> - Thomas, Jr. (28) Mass transit providers; loss of certain operating funds.</p>	<p>1/9/2019 House: Referred to Committee on Rules 1/18/2019 House: Referred from Rules by voice vote 1/18/2019 House: Referred to Committee on Appropriations 1/28/2019 House: Subcommittee recommends reporting with amendment (8-Y 0-N) 1/30/2019 House: Reported from Appropriations with amendment (22-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19104021D) - See also SB 1680 (Mason). <b>Summary:</b> Provides that any mass transit provider that incurs a loss in operating funds as a direct result of the performance-based allocation process set forth in Chapter 854 of the Acts of Assembly of 2018 shall be eligible for supplemental funds commensurate with operating funds in 2019. The total amount of supplemental funds available shall not exceed \$5 million.</p>		
<p><b><u>HB 2752</u></b> - Pillion (4) Motorized skateboards or scooters; clarifies definition, local authority.</p>	<p>1/17/2019 House: Referred to Committee on Transportation 1/22/2019 House: Subcommittee recommends reporting with substitute (7-Y 3-N) 1/29/2019 House: Reported from Transportation with substitute (22-Y 0-N)</p>	<p>[1/25/2019]</p>
<p>[Support] (19105484D) <b>Summary:</b> Motorized skateboards or scooters; operation; local authority. Authorizes localities to require that persons offering motorized skateboards or foot-scooters be licensed. The bill also makes other technical amendments related to motorized skateboards and foot-scooters.</p>		
<p><b><u>HB 2792</u></b> - Tran (42) Electric utilities; municipal net energy metering.</p>	<p>1/18/2019 House: Referred to Committee on Commerce and Labor 1/24/2019 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 1/31/2019 House: Reported from Commerce and Labor with substitute (19-Y 2-N)</p>	<p>[1/25/2019]</p>
<p>[Support with Amendment] (19104713D) - Support with amendment to allow the use of power purchase agreements in the pilot program, which is essential for Fairfax County to pursue net metering projects. <b>Summary:</b> Directs the State Corporation Commission to establish a pilot program that affords the opportunity for any municipality to participate in net energy metering if it is a retail customer of an investor-owned electric utility. In order to qualify for the program, the municipality is required to own and operate a renewable generating facility that is located on the municipality's premises and is intended primarily to offset all or part of the municipality's own electricity requirements. Under the pilot program, a municipal customer-generator that generates electricity in amounts that exceed the amount of electricity consumed by the municipal customer-generator, determined annually, will receive a credit against its electricity consumption at one or more other separately metered buildings or facilities. The measure provides that the amount of any such credit shall be equal to or greater than the generation-energy related rate under the Electrical Supply Service Charges of the host building plus all applicable generation-related riders or taxes and fuel-related riders or taxes, without the assessment by the utility of any service charges or fees in connection with or arising out of such crediting. The duration of the pilot program is six years.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><u>HJ 577</u></a> - Rasoul (11) United States Constitution; ratifies Equal Rights Amendment.</p>	<p>7/20/2018 House: Referred to Committee on Privileges and Elections 1/22/2019 House: Subcommittee recommends passing by indefinitely (4-Y 2-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19100132D) - Board has historically supported. See also HJ 583 (Ward). <b>Summary:</b> Constitution of the United States; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
<p><a href="#"><u>HJ 579</u></a> - Foy (2) United States Constitution; ratifies Equal Rights Amendment.</p>	<p>8/13/2018 House: Referred to Committee on Privileges and Elections 1/22/2019 House: Subcommittee recommends passing by indefinitely (4-Y 2-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19100231D) - Board has historically supported. <b>Summary:</b> Constitution of the United States; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
<p><a href="#"><u>HJ 583</u></a> - Ward (92) United States Constitution; ratifies Equal Rights Amendment.</p>	<p>10/8/2018 House: Referred to Committee on Privileges and Elections 1/22/2019 House: Subcommittee recommends passing by indefinitely (4-Y 2-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19100546D) - Board has historically supported. See also HJ 577 (Rasoul). <b>Summary:</b> Constitution of the United States; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
<p><a href="#"><u>SB 998</u></a> - Ebbin (30) Public employment; prohibits discrimination on basis of sexual orientation or gender identity.</p>	<p>7/16/2018 Senate: Referred to Committee on General Laws and Technology 1/14/2019 Senate: Reported from General Laws and Technology (11-Y 3-N) 1/18/2019 Senate: Read third time and passed Senate (28-Y 12-N) 1/22/2019 House: Referred to Committee on Rules</p>	<p><b>1/22/2019</b></p>

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Support</b> (19100117D) - Board has historically supported.  <b>Summary:</b> Nondiscrimination in public employment. Prohibits discrimination in public employment on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran.</p>		
<p><b>SB 1026</b> - Spruill, Sr. (5) Absentee voting; no-excuse absentee.</p>	<p>10/17/2018 Senate: Referred to Committee on Privileges and Elections                      1/29/2019 Senate: Incorporates SB 1035 (Locke)                      1/29/2019 Senate: Incorporates SB 1075 (Howell)                      1/29/2019 Senate: Incorporates SB 1198 (Dance)                      1/29/2019 Senate: Reported from Privileges and Elections with substitute (14-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19100137D) - Board has historically supported. See also HB 1641 (Herring), SB 1035 (Locke), and SB 1672 (Locke).  <b>Summary:</b> Permits any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons under which a person may be entitled to vote by absentee ballot and removes references to those reasons from other sections of the Code.</p>		
<p><b>SB 1058</b> - Favola (31) Companion animals; care, local ordinances.</p>	<p>12/6/2018 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19100755D)  <b>Summary:</b> Companion animals; care; local ordinances. Authorizes any locality to adopt an ordinance that parallels and makes more stringent the state law regarding the care of companion animals.</p>		
<p><b>SB 1073</b> - Marsden (37) Motor vehicles; removal from roadway when involved in an accident on HOT lane on I-66 .</p>	<p>12/13/2018 Senate: Referred to Committee on Transportation                      1/16/2019 Senate: Reported from Transportation (9-Y 0-N 1-A)                      1/22/2019 Senate: Read third time and passed Senate (40-Y 0-N)                      1/24/2019 House: Referred to Committee on Transportation</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19101626D)  <b>Summary:</b> Removing motor vehicles from roadway. Requires the driver of a motor vehicle involved in an accident on a high occupancy toll (HOT) lane that is under construction on Interstate 66 to move such motor vehicle to the nearest pull-off area if the driver can safely do so, the vehicle is movable, and there are no injuries or deaths resulting from the accident. The bill provides that such requirement will expire upon the certification by the Secretary of Transportation that the HOT lane construction on I-66 is complete.</p>		

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<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
<p><b><u>SB 1078</u></b> - Howell (32) Protective orders; possession of firearms, penalty.</p>	<p>12/13/2018 Senate: Referred to Committee for Courts of Justice 1/21/2019 Senate: Reported from Courts of Justice with substitute (14-Y 0-N 1-A) 1/21/2019 Senate: Re-referred to Finance</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19100829D) <b>Summary:</b> Protective orders; possession of firearms; penalty. Provides that it is a Class 6 felony for a person who is subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) for subjecting another person to an act of violence, force, or threat to possess a firearm while the order is in effect, which is equivalent to the existing penalty for possession of a firearm by a person subject to a permanent protective order for family abuse. The bill also provides that such person may continue to possess and transport a firearm for 24 hours after being served with the order for the purposes of selling or transferring the firearm to another person.</p>		
<p><b><u>SB 1121</u></b> - Petersen (34) Judges; maximum number in nineteenth judicial district.</p>	<p>12/26/2018 Senate: Referred to Committee for Courts of Justice 1/14/2019 Senate: Reported from Courts of Justice (13-Y 0-N) 1/17/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/21/2019 House: Referred to Committee for Courts of Justice</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19102862D) - See also HB 2510 (Hugo). <b>Summary:</b> Maximum number of judges in each judicial district. Increases from 11 to 12 the maximum number of authorized general district court judgeships in the nineteenth judicial district. This bill is a recommendation of the Committee on District Courts.</p>		
<p><b><u>SB 1129</u></b> - Locke (2) Food stamps and TANF; eligibility, drug-related felonies.</p>	<p>12/29/2018 Senate: Referred to Committee on Rehabilitation and Social Services 1/25/2019 Senate: Reported from Rehabilitation and Social Services with substitute (12-Y 1-N 1-A) 1/25/2019 Senate: Re-referred to Finance 1/29/2019 Senate: Reported from Finance with amendment (16-Y 0-N) 2/1/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/1/2019 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/1/2019 Senate: Passed Senate (21-Y 19-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19102418D) - Board has historically supported. See also HB 1891 (James). <b>Summary:</b> Eligibility for food stamps; drug-related felonies. Provides that a person who is otherwise eligible to receive food stamp benefits shall not be denied such assistance solely because he has been convicted of a drug-related felony. Under current law, such individuals may not be denied food stamp benefits based on a felony conviction of possession of a controlled substance, provided that such person is complying with, or has already complied with, all obligations imposed by the criminal court, is actively engaged in or has completed a substance abuse treatment program, participates in periodic drug screenings, and fulfills any other obligations as determined by the Department of Social Services.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><b>SB 1135</b></a> - Favola (31) Community Living Waiver wait list; child identified as having a developmental disability.</p>	<p>12/30/2018 Senate: Referred to Committee on Rehabilitation and Social Services 1/25/2019 Senate: Reported from Rehabilitation and Social Services with substitute (14-Y 0-N) 1/30/2019 Senate: Read third time and passed Senate (40-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19102930D) <b>Summary:</b> DBHDS; Community Living Waiver wait list; Priority One status; individuals leaving foster care. Directs the Department of Behavioral Health and Developmental Services to amend the criteria for determining the priority status of individuals on the waiting list for services under the Community Living Waiver to include individuals with developmental disabilities who will exit foster care and require waiver services within one year in the Priority One status.</p>		
<p><a href="#"><b>SB 1145</b></a> - Favola (31) Virginia Initiative for Employment Not Welfare (VIEW); transitional child care.</p>	<p>12/31/2018 Senate: Referred to Committee on Rehabilitation and Social Services 1/25/2019 Senate: Reported from Rehabilitation and Social Services (12-Y 1-N 1-A) 1/25/2019 Senate: Re-referred to Finance 1/29/2019 Senate: Reported from Finance (16-Y 0-N) 2/1/2019 Senate: Read third time and passed Senate (38-Y 1-N 1-A)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19101901D) <b>Summary:</b> Allows VIEW participants whose Temporary Assistance for Needy Families financial assistance is terminated to receive child care assistance for up to 12 months after termination if the individual is enrolled in an accredited public institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education for Virginia and is taking courses as part of a curriculum that leads to a postsecondary credential, such as a degree or an industry-recognized credential, certification, or license. Under current law, such child care assistance is only available if it enables the individual to work.</p>		
<p><a href="#"><b>SB 1224</b></a> - Chafin (38) Local multidisciplinary adult abuse, neglect &amp; exploitation response teams; establishment of teams.</p>	<p>1/4/2019 Senate: Referred to Committee on Rehabilitation and Social Services 1/25/2019 Senate: Reported from Rehabilitation and Social Services with substitute (15-Y 0-N) 1/30/2019 Senate: Read third time and passed Senate (40-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19103368D) <b>Summary:</b> Local multidisciplinary elder abuse response teams. Allows the attorney for the Commonwealth in each political subdivision to coordinate the establishment of a multidisciplinary response to elder abuse, neglect, and financial exploitation of incapacitated adults to (i) conduct regular reviews of new and ongoing reports of elder abuse, neglect, and financial exploitation of incapacitated adults and, at the request of any member of the team, conduct reviews of any other reports of elder abuse, neglect, or financial exploitation in the jurisdiction involving an incapacitated or older adult and (ii) establish and review guidelines for the community's response to elder abuse, neglect, and financial exploitation of incapacitated adults.</p>		

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<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
<p><b><u>SB 1277</u></b> - Barker (39) Certificate of public need; nursing homes and hospitals, disaster exemption.</p>	<p>1/7/2019 Senate: Referred to Committee on Education and Health 1/31/2019 Senate: Reported from Education and Health (15-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19101545D) - See also HB 1870 (Sickles) and HB 2451 (Bell, Richard P.). <b>Summary:</b> Certificate of public need; nursing homes and hospitals; disaster exemption. Provides for a 30-day exemption from the requirement to obtain a certificate of public need for an increase in the total number of beds in nursing homes or hospitals if the State Health Commissioner has determined that a natural or man-made disaster has caused the evacuation of nursing homes or hospitals and that a public health emergency exists due to a shortage of nursing home or hospital beds.</p>		
<p><b><u>SB 1286</u></b> - Barker (39) Persons with disabilities; auxiliary grants, supportive housing.</p>	<p>1/7/2019 Senate: Referred to Committee on Rehabilitation and Social Services 1/25/2019 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N) 1/25/2019 Senate: Re-referred to Finance 1/29/2019 Senate: Reported from Finance (16-Y 0-N) 2/1/2019 Senate: Read third time and passed Senate (40-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19102021D) <b>Summary:</b> Persons with disabilities; auxiliary grants; supportive housing. Clarifies language surrounding receipt of auxiliary grants by individuals living in supportive housing and increases the maximum number of auxiliary grant recipients in supportive housing from 60 to 120.</p>		
<p><b><u>SB 1323</u></b> - Hanger, Jr. (24) Capital outlay plan; updates six-year plan for projects.</p>	<p>1/7/2019 Senate: Referred to Committee on Finance 1/15/2019 Senate: Reported from Finance with amendments (15-Y 1-N) 1/18/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/22/2019 House: Referred to Committee on Appropriations</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19103643D-E) - The County supports funding for a Northern Virginia regional science center which is included in the capital outlay plan. <b>Summary:</b> Capital outlay plan. Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.</p>		

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[ ] Indicates BOS Legislative Committee Action

<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
<p><b><u>SB 1373</u></b> - Favola (31) Conditional rezoning proffers; extensive changes to conditional zoning provisions.</p>	<p>1/8/2019 Senate: Referred to Committee on Local Government 1/15/2019 Senate: Incorporates SB 1524 (Black) 1/15/2019 Senate: Reported from Local Government with substitute (11-Y 2-N) 1/21/2019 Senate: Read third time and passed Senate (29-Y 10-N 1-A) 1/24/2019 House: Referred to Committee on Counties, Cities and Towns</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19104977D-S1) - See also HB 2342 (Thomas). <b>Summary:</b> Conditional rezoning proffers. Makes extensive changes to conditional zoning provisions first enacted in 2016. Specific amendments include the addition of provisions stating that no local governing body shall require any unreasonable proffer. Under current law, no locality may request or accept any unreasonable proffer. Other changes (i) allow an applicant to submit any proffer that the applicant deems reasonable and appropriate, as conclusively evidenced by the signed proffers, (ii) rewrite provisions related to certain revitalization areas and floor area density standards that are excluded from the statute's requirements, and (iii) state that nothing in the bill shall be deemed or interpreted to prohibit communications between an applicant or owner and the locality or to prohibit presentation, analysis, or discussion of the potential impacts of new residential development or other new residential use on the locality's public facilities. The provisions of the bill are effective as to any application for a rezoning or proffer condition amendment filed on or after July 1, 2019, or to certain other pending applications. The bill also provides that an applicant with a pending application for a rezoning or proffer condition amendment that was filed prior to July 1, 2016, may elect to proceed under the law as it existed prior to that date, and an applicant with a pending rezoning or proffer condition amendment application filed after July 1, 2016, but before July 1, 2019, may elect to proceed under the law as it existed during that period.</p>		
<p><b><u>SB 1405</u></b> - Dance (16) Pharmacist; counseling for new prescriptions, disposal of medicine.</p>	<p>1/8/2019 Senate: Referred to Committee on Education and Health 1/17/2019 Senate: Reported from Education and Health (15-Y 0-N) 1/22/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/24/2019 House: Referred to Committee on Health, Welfare and Institutions</p>	<p>[1/25/2019]</p>
<p>[Support] (19101424D) - See also HB 1743 (Bulova). <b>Summary:</b> Pharmacist; counseling for new prescriptions; disposal of medicine. Allows a pharmacist to include information regarding the proper disposal of medicine when giving counsel to a person who presents a new prescription for filling.</p>		
<p><b><u>SB 1407</u></b> - Mason (1) Child care providers; fingerprint background checks.</p>	<p>1/8/2019 Senate: Referred to Committee on Rehabilitation and Social Services 2/1/2019 Senate: Reported from Rehabilitation and Social Services with substitute (13-Y 0-N)</p>	<p><b>1/22/2019</b></p>

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Bills	General Assembly Actions	Date of BOS Position
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**Support** (19101950D) - See also HB 1994 (Price).  
**Summary:** Allows local law-enforcement agencies to process and submit requests for national fingerprint background checks required for (i) applicants for licensure as a child day center, family day home, or family day system, registration as a family day home, or approval as a family day home by a family day system; (ii) agents of an applicant for licensure as a child day center, family day home, or family day system, registration as a family day home, or approval as a family day home by a family day system at the time of application who is or will be involved in the day-to-day operations of the child day center, family day home, or family day system, or who is or will be alone with, in control of, or supervising one or more of the children; (iii) adults living in such child day center or family day home; and (iv) employees and volunteers of any child day center, family day home, or family day system licensed in accordance with the provisions of this chapter, child day center exempt from licensure, registered family day home, family day home approved by a family day system, or child day center, family day home, or child day program that enters into a contract with the Department or a local department to provide child care services funded by the Child Care and Development Block Grant.

<p><b>SB 1439</b> - McClellan (9)                  Death certificates; medical certification, electronic filing.</p>	<p>1/8/2019 Senate: Referred to Committee on Education and Health                  1/17/2019 Senate: Incorporates SB 1493 (Cosgrove)                  1/17/2019 Senate: Reported from Education and Health with substitute (15-Y 0-N)                  1/22/2019 Senate: Read third time and passed Senate (40-Y 0-N)                  1/24/2019 House: Referred to Committee on Health, Welfare and Institutions</p>	<p>[1/25/2019]</p>
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[Support] (19105238D-S1)  
**Summary:** Death certificates; medical certification; electronic filing. Requires the completed medical certification portion of a death certificate to be filed electronically with the State Registrar of Vital Records through the Electronic Death Registration System and provides that, except for under certain circumstances, failure to file a medical certification of death electronically through the Electronic Death Registration System shall constitute grounds for disciplinary action by the Board of Medicine. The bill includes a delayed effective date of January 1, 2020, and a phased-in requirement for registration with the Electronic Death Registration System and electronic filing of medical certifications of death for various categories of health care providers. The bill directs the Department of Health to work with stakeholders to educate and encourage physicians, physician assistants, and nurse practitioners to timely register with and utilize the Electronic Death Registration System.

<p><b>SB 1468</b> - Black (13)                  Northern Virginia Transportation Authority; analysis of projects.</p>	<p>1/8/2019 Senate: Referred to Committee on Transportation                  1/16/2019 Senate: Reported from Transportation with amendments (10-Y 0-N)                  1/22/2019 Senate: Read third time and passed Senate (40-Y 0-N)                  1/24/2019 House: Referred to Committee on Transportation</p>	<p><b>1/22/2019</b></p>
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**Support** (19104213D)  
**Summary:** Shifts responsibility from the Department of Transportation to the Northern Virginia Transportation Authority for the evaluation and rating of significant transportation projects in and near Planning District 8. The bill also adds administrative and operating expenses to those expenses that can be paid by the Northern Virginia Transportation Authority Fund. Current law provides that administrative expenses be allocated to the component counties and cities of the Authority.

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<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
<p><b><u>SB 1553</u></b> - Surovell (36) Urban county executive form of government; abandoned personal property.</p>	<p>1/8/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Reported from Local Government with substitute (8-Y 2-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support with Amendment</b> (19104083D) - Support with amendment to narrow scope of legislation to improve implementation. <b>Summary:</b> Provides that any county that has adopted the urban county executive form of government (Fairfax County) may, by ordinance, provide that it shall be unlawful for any person to place, leave, or abandon on any real property in the county, or within specified districts within the county, any dilapidated furniture, appliance, machinery, equipment, shopping cart, building material, or other item or personal property, which is either in a wholly or partially rusted, wrecked, junked, dismantled, or inoperative condition and which is not completely enclosed within a building. The ordinance shall provide that any such item which remains on the real property for a period of seven days after a notice of violation is given to the owner of such personal property shall be presumed to be abandoned and subject to being removed from the real property by the county or its agents without further notice. In the event any such item is so removed, the cost of removal, including an administrative fee in the amount of \$150.00, shall be charged to the owner of the personal property. No such ordinance shall apply to any real property used for the purpose of a licensed junk dealer or an establishment engaged in the repair, rebuilding, reconditioning, or salvaging of equipment. The ordinance may provide that a violation of the ordinance shall constitute a Class 1 misdemeanor.</p>		
<p><b><u>SB 1575</u></b> - Ebbin (30) Teacher licensure; exemption for certain teachers.</p>	<p>1/9/2019 Senate: Referred to Committee on Education and Health 1/31/2019 Senate: Reported from Education and Health with substitute (15-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19102839D) <b>Summary:</b> Permits any school board to employ any individual, who is employed by an accredited institution of higher education as an instructor, to teach career and technical education courses or dual enrollment courses in the local school division, regardless of whether such individual holds a license issued by the Board of Education.</p>		
<p><b><u>SB 1576</u></b> - Suetterlein (19) DOE; pilot program, placement transition of certain students.</p>	<p>1/9/2019 Senate: Referred to Committee on Education and Health 1/24/2019 Senate: Reported from Education and Health (15-Y 0-N) 1/24/2019 Senate: Re-referred to Finance 1/31/2019 Senate: Incorporates SB 1264 (Vogel) 1/31/2019 Senate: Reported from Finance with substitute (14-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19100917D) <b>Summary:</b> Requires the Department of Education and relevant local school boards to develop and implement a pilot program for up to four years in two to eight local school divisions in the Commonwealth. In developing the pilot, the Department is required to partner with the appropriate school board employees</p>		

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Bills	General Assembly Actions	Date of BOS Position
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in each such local school division to (i) identify the resources, services, and supports required by each student who resides in each such local school division and who is educated in a private school setting pursuant to his Individualized Education Program; (ii) study the feasibility of transitioning each such student from his private school setting to an appropriate public school setting in the local school division and providing the identified resources, services, and supports in such public school setting; and (iii) recommend a process for redirecting federal, state, and local funds, including funds provided pursuant to the Children's Services Act, provided for the education of each such student to the local school division for the purpose of providing the identified resources, services, and supports in the appropriate public school setting. The bill requires the Department of Education to make a report to the Governor, the Senate Committees on Education and Health and Finance, and the House Committees on Education and Appropriations on the findings of each pilot program after two and four years.

<p><b>SB 1680</b> - Mason (1) Mass transit providers; loss of certain operating funds.</p>	<p>1/11/2019 Senate: Referred to Committee on Transportation 1/30/2019 Senate: Reported from Transportation with substitute (10-Y 2-N) 1/30/2019 Senate: Re-referred to Finance 1/31/2019 Senate: Reported from Finance (13-Y 1-N 2-A)</p>	<p><b>1/22/2019</b></p>
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**Support** (19104336D) - See also HB 2553 (Thomas).  
**Summary:** Provides that any mass transit provider that incurs a loss in operating funds as a direct result of the performance-based allocation process set forth in Chapter 854 of the Acts of Assembly of 2018 shall be eligible for supplemental funds commensurate with operating funds in 2019. The total amount of supplemental funds available shall not exceed \$5 million annually.

<p><b>SB 1759</b> - Surovell (36) Undergrounding utility lines; transportation infrastructure improvement.</p>	<p>1/18/2019 Senate: Referred to Committee on Commerce and Labor 1/31/2019 Senate: Reported from Commerce and Labor with substitute (9-Y 4-N) 1/31/2019 Senate: Re-referred to Finance 1/31/2019 Senate: Reported from Finance (13-Y 3-N)</p>	<p>[1/25/2019]</p>
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[Support] (19100654D) **Staff Note: The current version of SB 1759 is significantly different than the one discussed by the Board on January 25, and the Board has not yet taken a position on the revised legislation.**  
**Summary:** Provides that when the Commonwealth Transportation Board determines that it is necessary that any existing overhead electric distribution, cable, or telecommunications line be replaced with an underground line in order to accommodate a transportation infrastructure improvement in an area of transit-oriented development, the utility shall relocate the line underground, with the Board paying to the utility the cost of relocating or removing the line above ground. An electric utility may apply to recover the net costs of undergrounding a distribution line through a rate adjustment clause. A cable operator or telecommunications service provider may recover the net cost of undergrounding overhead cable or telecommunications lines in the same manner as it recovers other capital costs.

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<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
<p><a href="#"><b>SJ 284</b></a> - Sturtevant, Jr. (10)                      United States Constitution; ratifies Equal Rights Amendment.</p>	<p>1/7/2019 Senate: Referred to Committee on Privileges and Elections                      1/9/2019 Senate: Incorporates SJ 270 (Saslaw)                      1/9/2019 Senate: Reported from Privileges and Elections with substitute (8-Y 6-N)                      1/15/2019 Senate: Agreed to by Senate (26-Y 14-N)                      1/18/2019 House: Referred to Committee on Privileges and Elections                      1/22/2019 House: Subcommittee recommends passing by indefinitely (4-Y 2-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19104385D-S1) - Board has historically supported.  <b>Summary:</b> Constitution of the United States; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
<p><a href="#"><b>SJ 307</b></a> - Lewis, Jr. (6)                      JLARC; costs of education, report.</p>	<p>1/9/2019 Senate: Referred to Committee on Rules                      2/1/2019 Senate: Passed by indefinitely in Rules by voice vote</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19103131D) - Board has historically supported. Fairfax County's Legislative Program includes support for adequate K-12 education funding.  <b>Summary:</b> Study; JLARC; costs of education; report. Directs the Joint Legislative Audit and Review Commission to study the true cost of education in the Commonwealth and provide an accurate assessment of the costs to implement the Standards of Quality.</p>		

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# *Fairfax County Positions*

*(Monitor)*

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><b>HB 1625</b></a> - Orrock, Sr. (54) Animal care; adequate shelter, exposure to heat or cold.</p>	<p>10/23/2018 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/14/2019 House: Subcommittee recommends reporting (8-Y 0-N) 1/16/2019 House: Reported from Agriculture, Chesapeake and Natural Resources (21-Y 1-N) 1/22/2019 House: Read third time and passed House (88-Y 9-N) 1/23/2019 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources</p>	<p><b>1/22/2019</b></p>
<p><b>Monitor</b> (19100436D) <b>Summary:</b> Animal care; adequate shelter; exposure to heat or cold. Provides that the definition of "adequate shelter" includes the provision of shelter that protects the animal from exposure to heat or cold. Current law requires such shelter to protect the animal from the adverse effects of heat or cold.</p>		
<p><a href="#"><b>HB 1733</b></a> - Gilbert (15) School boards; local law-enforcement agencies, memorandums of understanding.</p>	<p>12/19/2018 House: Referred to Committee on Education 1/16/2019 House: Reported from Education with amendment (22-Y 0-N) 1/22/2019 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 1/23/2019 Senate: Referred to Committee on Education and Health</p>	<p><b>1/22/2019</b></p>
<p><b>Monitor</b> (19100602D) <b>Summary:</b> School boards; local law-enforcement agencies; memorandums of understanding. Requires the school board in each school division in which the local law-enforcement agency employs school resource officers to enter into a memorandum of understanding with such local law-enforcement agency that sets forth the powers and duties of the school resource officers. The bill requires each such school board and local law-enforcement agency to review and amend or affirm the memorandum at least once every five years or at any time upon the request of either party.</p>		
<p><a href="#"><b>HB 1937</b></a> - Krizek (44) Real property tax; exemptions for elderly and handicapped, computation of income limitation.</p>	<p>1/6/2019 House: Referred to Committee on Finance 1/14/2019 House: Reported from Finance with amendment (22-Y 0-N) 1/18/2019 House: Read third time and passed House BLOCK VOTE (94-Y 0-N) 1/21/2019 Senate: Referred to Committee on Finance</p>	<p><b>1/22/2019</b></p>
<p><b>Monitor</b> (19100954D-E) <b>Summary:</b> Real property tax; exemptions for elderly and handicapped; computation of income limitation. Provides that, if a locality has established a real estate tax exemption for the elderly and handicapped and enacted an income limitation related to the exemption, the locality may exclude, for purposes of the limitation, any income received by a family member or nonrelative who lives in the dwelling and who is permanently and totally disabled.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 1966</a> - Yancey (94) Uniform Statewide Building Code; issuance of building permits.</p>	<p>1/7/2019 House: Referred to Committee on General Laws 1/17/2019 House: Subcommittee recommends reporting with substitute (6-Y 1-N) 1/29/2019 House: Reported from General Laws with substitute (21-Y 0-N)</p>	<p>[1/25/2019] <b>1/22/2019</b></p>
<p>[Monitor] (19105113D) - Bill has been amended to address the County's concerns. <b>Oppose</b> (19101136D) <b>Summary:</b> Requires local building departments, when denying an application for the issuance of a building permit, to provide to the applicant a written explanation detailing the reasons for which the application was denied. The bill provides that the applicant may submit a revised application addressing the reasons for which the application was previously denied and that, if the applicant does so, the local building department shall limit its review of the revised application to only those portions of the application that were previously deemed inadequate and that the applicant has revised.</p>		
<p><a href="#">HB 2014</a> - Peace (97) Family First Prevention Services Act; statutory alignment.</p>	<p>1/7/2019 House: Referred to Committee for Courts of Justice 1/14/2019 House: Referred from Courts of Justice by voice vote 1/14/2019 House: Referred to Committee on Health, Welfare and Institutions 1/24/2019 House: Subcommittee recommends reporting (10-Y 0-N) 1/29/2019 House: Reported from Health, Welfare and Institutions (21-Y 0-N) 1/29/2019 House: Referred to Committee on Appropriations 2/1/2019 House: Subcommittee recommends reporting (7-Y 0-N) 2/1/2019 House: Reported from Appropriations (21-Y 0-N)</p>	<p>[1/25/2019]</p>
<p>[Monitor] (19101811D) <b>Summary:</b> Aligns the Code of Virginia with the Family First Prevention Services Act of 2018. The bill contains an emergency clause for provisions of the bill relating to background checks for employees of, volunteers at, and contractors providing services to juveniles at children's residential facilities.</p>		
<p><a href="#">HB 2051</a> - McQuinn (70) Cemeteries; development, local ordinance.</p>	<p>1/7/2019 House: Referred to Committee on Counties, Cities and Towns</p>	<p><b>1/22/2019</b></p>
<p><b>Monitor</b> (19102310D) <b>Summary:</b> Cemeteries; development; local ordinance. Provides that local subdivision ordinances may include certain requirements to govern the private development of land containing an existing cemetery. The bill also authorizes localities to adopt ordinances requiring that certain research in local property records be conducted prior to development to identify any cemeteries on the property.</p>		

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<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
<p><a href="#"><b>HB 2084</b></a> - Watts (39) Counties, certain; additional powers that include taxation, etc.</p>	<p>1/7/2019 House: Referred to Committee on Counties, Cities and Towns 1/30/2019 House: Subcommittee recommends laying on the table (7-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Monitor</b> (19101523D) - Board has historically monitored. <b>Summary:</b> Additional powers of certain counties. Grants counties with a population greater than 100,000 certain powers of cities and towns, including taxation, borrowing, and eligibility for highway maintenance funds. Currently, such powers are generally granted only to cities and towns.</p>		
<p><a href="#"><b>HB 2146</b></a> - Turpin (85) Land development; conservation or replacement of trees, local option.</p>	<p>1/8/2019 House: Referred to Committee on Counties, Cities and Towns 1/23/2019 House: Subcommittee failed to recommend reporting (3-Y 4-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Monitor</b> (19101980D) <b>Summary:</b> Land development; conservation or replacement of trees; local option. Authorizes any locality to adopt an ordinance providing for either the conservation of or the planting and replacement of trees during the land development process. Currently, only a locality within Planning District 8 with a population density of 75 persons per square mile and which is classified as an eight-hour nonattainment area for ozone under the federal Clean Air Act and Amendments of 1990, in effect as of July 1, 2008, may adopt such an ordinance for the conservation of trees and only a locality with a population density of 75 persons per square mile or within the Chesapeake Bay watershed may adopt such an ordinance for the planting and replacement of trees during the land development process.</p>		
<p><a href="#"><b>HB 2291</b></a> - VanValkenburg (72) School boards; local law-enforcement agencies, memorandums of understanding.</p>	<p>1/8/2019 House: Referred to Committee on Education</p>	<p><b>1/22/2019</b></p>
<p><b>Monitor</b> (19104117D) <b>Summary:</b> School boards; local law-enforcement agencies; memorandums of understanding. Requires the school board in each school division in which the local law-enforcement agency employs school resource officers to enter into a memorandum of understanding with such local law-enforcement agency that sets forth the respective roles and responsibilities of the school board and the law-enforcement agency and the roles and responsibilities of such school resource officers. The bill requires each such school board and local law-enforcement agency to (i) review the memorandum of understanding every two years or at any time upon the request of either party and may revise such memorandum at any time as agreed by the parties and (ii) ensure that all relevant personnel employed by either party are informed of and review the provisions of the memorandum of understanding, including any revisions to the memorandum of understanding. The bill also requires the Virginia Center for School and Campus Safety to develop a model memorandum of understanding that may be used by local school boards and local law-enforcement agencies to satisfy the new requirements put forth in the bill.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><b>HB 2458</b></a> - Landes (25) Early childhood care and education; establishment, licensure.</p>	<p>1/9/2019 House: Referred to Committee on Education 1/21/2019 House: Subcommittee recommends reporting with substitute (6-Y 1-N) 1/21/2019 House: Subcommittee recommends referring to Committee on Appropriations 1/23/2019 House: Reported from Education with substitute (20-Y 1-N) 1/23/2019 House: Referred to Committee on Appropriations</p>	<p><b>1/22/2019</b></p>
<p><b>Monitor</b> (19102705D) - See also SB 1095 (Howell). <b>Summary:</b> Early childhood care and education; licensing. Requires the Board of Education to establish a statewide unified public-private system for early childhood care and education in the Commonwealth to be administered by the Board of Education, the Superintendent of Public Instruction, and the Department of Education. The bill transfers the authority to license and regulate child day programs and other early child care agencies from the Board of Social Services and Department of Social Services to the Board of Education and the Department of Education. The bill maintains current licensure, background check, and other requirements of such programs. The bill establishes the Early Childhood Innovation Fund for the purpose of facilitating regional public-private collaboration and to field test innovative strategies and evidence-based practices that support a robust system of comprehensive early childhood care and education services to deliver measurable school readiness outcomes and meet regional workforce support needs. Such provisions of the bill have a delayed effective date of July 1, 2021.</p>		
<p><a href="#"><b>HB 2466</b></a> - Roem (13) State Route 28; Department of Transportation to study.</p>	<p>1/9/2019 House: Referred to Committee on Rules</p>	<p><b>1/22/2019</b></p>
<p><b>Monitor</b> (19102854D) <b>Summary:</b> Department of Transportation to study State Route 28; report. Directs the Department of Transportation to study the feasibility of implementing improvements to State Route 28 in Prince William County between the City of Manassas Park and Fairfax County.</p>		
<p><a href="#"><b>HB 2665</b></a> - Stolle (83) Specialty dockets; report.</p>	<p>1/11/2019 House: Referred to Committee for Courts of Justice 1/16/2019 House: Subcommittee recommends reporting (8-Y 0-N) 1/21/2019 House: Reported from Courts of Justice (18-Y 0-N) 1/25/2019 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 1/28/2019 Senate: Referred to Committee for Courts of Justice 1/30/2019 Senate: Reported from Courts of Justice (10-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Monitor</b> (19103681D) - See also SB 1655 (Cosgrove). <b>Summary:</b> Requires the Office of the Executive Secretary of the Supreme Court to develop a statewide evaluation model and conduct ongoing evaluations of the effectiveness and efficiency of all local specialty dockets established in accordance with the Rules of Supreme Court of Virginia and submit a report of these evaluations to the General Assembly by December 1 of each year.</p>		

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<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
<p><b>SB 1095</b> - Howell (32) Early childhood care and education; establishment, licensure.</p>	<p>1/7/2019 Senate: Referred to Committee on Education and Health 1/17/2019 Senate: Incorporates SB 1313 (Dunnivant) 1/17/2019 Senate: Reported from Education and Health with substitute (10-Y 2-N 1-A) 1/17/2019 Senate: Re-referred to Finance 1/29/2019 Senate: Reported from Finance with substitute (16-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Monitor</b> (19102558D) - See also HB 2458 (Landes). <b>Summary:</b> Early childhood care and education; licensing. Requires the Board of Education to establish a statewide unified public-private system for early childhood care and education in the Commonwealth to be administered by the Board of Education, the Superintendent of Public Instruction, and the Department of Education. The bill transfers the authority to license and regulate child day programs and other early child care agencies from the Board of Social Services and Department of Social Services to the Board of Education and the Department of Education. The bill maintains current licensure, background check, and other requirements of such programs. The bill establishes the Early Childhood Innovation Fund for the purpose of facilitating regional public-private collaboration and to field test innovative strategies and evidence-based practices that support a robust system of comprehensive early childhood care and education services to deliver measurable school readiness outcomes and meet regional workforce support needs. Such provisions of the bill have a delayed effective date of July 1, 2021.</p>		
<p><b>SB 1404</b> - Petersen (34) Eminent domain; costs for petition for distribution of funds, interest rate.</p>	<p>1/8/2019 Senate: Referred to Committee for Courts of Justice 1/14/2019 Senate: Reported from Courts of Justice with amendments (10-Y 2-N 1-A) 1/17/2019 Senate: Read third time and passed Senate (39-Y 1-N) 1/21/2019 House: Referred to Committee for Courts of Justice</p>	<p><b>1/22/2019</b></p>
<p><b>Monitor</b> (19102876D-E) <b>Summary:</b> Eminent domain; costs for petition for distribution of funds; interest rate; recordation of certificate. Provides that the costs of filing a petition with the court for the distribution of the funds due pursuant to an eminent domain proceeding shall be taxed against the condemnor. The bill also provides that the interest rate on the funds represented by a certificate of deposit from the date of filing of the certificate until the funds are paid into the court shall not be less than the judgment rate of interest. Finally, the bill reorganizes for clarity the provisions governing what happens upon recordation of a certificate by the Commissioner of Highways in a condemnation proceeding.</p>		
<p><b>SB 1520</b> - Carrico, Sr. (40) Passing stopped school bus; release of information by DMV, reporting violation.</p>	<p>1/8/2019 Senate: Referred to Committee on Transportation 1/30/2019 Senate: Incorporates SB 1476 (Deeds) 1/30/2019 Senate: Reported from Transportation with substitute (13-Y 0-N)</p>	<p><b>1/22/2019</b></p>

**Bold** – Indicates BOS formal action  
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p><b>Monitor</b> (19103029D)  <b>Summary:</b> Passing stopped school bus; release of information by the Department of Motor Vehicles; reporting violation. Authorizes the Department of Motor Vehicles (the Department) to release vehicle owner data of a vehicle that failed to stop for a stopped school bus upon request of a video-monitoring system operator or upon request of the authorized agent or employee of a video-monitoring system operator. The bill expands the length of time for which a driver of a motor vehicle must remain stopped for a stopped school bus from when all persons are clear of the roadway to when the bus is back in motion. The bill provides that any conviction for passing a stopped school bus imposed by mailing a summons will not be reported to the Department or made part of the operator's driving record. However, the bill provides that if the conviction is imposed as a result of a law-enforcement officer personally issuing a summons at the time of violation the conviction shall be reported to the Department and shall result in the assessment of four demerit points to that person's driving record. The bill provides that an ordinance enacted by a county regarding a video-monitoring system applies to infractions that occur within any town located within the county for which the county provides the public school system.</p>		
<p><b>SB 1622</b> - McPike (29)                      Child day programs; lead testing, potable water.</p>	<p>1/9/2019 Senate: Referred to Committee on Rehabilitation and Social Services                      2/1/2019 Senate: Reported from Rehabilitation and Social Services with substitute (15-Y 0-N)</p>	<p>[1/25/2019]</p>
<p>[Monitor] (19104179D)  <b>Summary:</b> Child day programs; potable water; lead testing. Requires licensed child day programs and certain other programs that serve preschool-age children to develop and implement a plan to test potable water from sources identified by the U.S. Environmental Protection Agency as high priority as often as is required of the supplying public water system by the Virginia Department of Health's Office of Drinking Water. The bill requires such plan and the results of each such test to be submitted to the Commissioner of Social Services and the Department of Health's Office of Drinking Water. The bill stipulates that if the result of any such test indicates a level of lead in the potable water that is at or above 15 parts per billion, the program shall remediate the level of lead in the potable water to below 15 parts per billion and confirm such remediation by retesting the water at two consecutive six-month intervals and submitting the results of the retests to the Commissioner of Social Services and the Department of Health's Office of Drinking Water. The bill also provides such programs the option of using bottled water in lieu of testing or remediation.</p>		
<p><b>SB 1655</b> - Cosgrove, Jr. (14)                      Specialty dockets; report.</p>	<p>1/9/2019 Senate: Referred to Committee for Courts of Justice                      1/28/2019 Senate: Reported from Courts of Justice (12-Y 0-N)                      1/31/2019 Senate: Read third time and passed Senate (40-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Monitor</b> (19101131D) - See also HB 2665 (Stolle).  <b>Summary:</b> Requires the Office of the Executive Secretary of the Supreme Court to develop a statewide evaluation model and conduct ongoing evaluations of the effectiveness and efficiency of all local specialty dockets established in accordance with the Rules of Supreme Court of Virginia and submit a report of these evaluations to the General Assembly by December 1 of each year.</p>		

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# *Fairfax County Positions*

\* \* \*

*Legislation  
No Longer Under Consideration*

*(Failed to Report, Incorporated into other  
Legislation, Tabled, etc.)*

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 1823</a> - Convirs-Fowler (21) Virginia Fair Housing Law; unlawful discriminatory housing practices.</p>	<p>1/1/2019 House: Referred to Committee on Rules 1/28/2019 House: Stricken from docket by Rules (16-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19102102D) - Board has historically supported. <b>Summary:</b> Virginia Fair Housing Law; unlawful discriminatory housing practices; sexual orientation and gender identity. Adds discrimination on the basis of an individual's sexual orientation or gender identity as an unlawful housing practice. The bill defines "sexual orientation" and "gender identity."</p>		
<p><a href="#">SB 1035</a> - Locke (2) Absentee voting; no-excuse absentee.</p>	<p>10/30/2018 Senate: Referred to Committee on Privileges and Elections 1/29/2019 Senate: Incorporated by Privileges and Elections (SB 1026-Spruill) (14-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19100414D) - Board has historically supported. See also HB 1641 (Herring), SB 1026 (Spruill), and SB 1672 (Locke). <b>Summary:</b> Permits any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons under which a person may be entitled to vote by absentee ballot and removes references to those reasons from other sections of the Code.</p>		
<p><a href="#">SB 1075</a> - Howell (32) Absentee voting; no-excuse in-person available 21 days prior to election.</p>	<p>12/13/2018 Senate: Referred to Committee on Privileges and Elections 1/29/2019 Senate: Incorporated by Privileges and Elections (SB 1026-Spruill) (14-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support with Amendment</b> (19100722D) - Support with amendments to facilitate implementation. Board has historically supported with amendments. <b>Summary:</b> Allows for any registered voter to vote by absentee ballot in person beginning on the twenty-first day prior to any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill makes absentee voting in person available beginning on the forty-fifth day prior to the election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting an absentee ballot by mail or in person prior to the twenty-first day before the election, including the application requirement and the list of statutory reasons for absentee voting.</p>		
<p><a href="#">SB 1127</a> - Favola (31) Local government taxing authority; equalizes municipal and county taxing authorities.</p>	<p>12/28/2018 Senate: Referred to Committee on Local Government 1/15/2019 Senate: Re-referred to Finance 1/23/2019 Senate: Passed by indefinitely in Finance (13-Y 3-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19103307D) - Board has historically supported. See also HB 2189 (Kilgore). <b>Summary:</b> Local government taxing authority. Equalizes municipal taxing authority and county taxing authority by granting a county the same authority available to a municipality through the uniform charter powers. The bill has a delayed effective date of July 1, 2020, prior to which the Division of Legislative Services is directed to convene a working group to develop recommendations as to what additional legislative changes are needed to effectuate the provisions of the bill.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>SB 1198</u></b> - Dance (16) Absentee voting; no excuse required when voting in person.</p>	<p>1/3/2019 Senate: Referred to Committee on Privileges and Elections 1/29/2019 Senate: Incorporated by Privileges and Elections (SB 1026-Spruill) (14-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19101559D) - Board has historically supported. <b>Summary:</b> Provides that any registered voter may vote by absentee ballot in person in any election in which he is qualified to vote without providing a reason for being unable to vote in person on election day. The bill retains the statutory list of reasons allowing a voter to cast an absentee ballot by mail.</p>		
<p><b><u>SB 1456</u></b> - McClellan (9) Distributed renewable energy; promotes establishment of solar and other renewable energy.</p>	<p>1/8/2019 Senate: Referred to Committee on Commerce and Labor 1/28/2019 Senate: Passed by indefinitely in Commerce and Labor (10-Y 3-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19103827D) <b>Summary:</b> Distributed renewable energy. Promotes the establishment of distributed renewable solar and other renewable energy. The measure (i) removes the one percent cap on the total amount of renewable energy that can be net metered in a utility's service territory, (ii) authorizes third-party power purchase agreements for all customer classes throughout the Commonwealth, (iii) allows local governments and certain other public bodies to install solar or wind facilities of up to five megawatts on government-owned property and use the electricity for government-owned buildings, (iv) allows all net metering customers to attribute output from a single solar array to multiple meters, (v) allows the owner of a multi-family residential building or the common areas of a condominium to install a renewable energy generation facility and sell the electricity to tenants or condominium unit owners, (vi) removes the restriction on customers installing a net-metered generation facility larger than that required to meet their previous 12 months' demand, (vii) raises the cap for net-metered nonresidential generation facilities from one megawatt to two megawatts, and (viii) removes the ability of utilities to assess standby charges. The measure also amends the Commonwealth Energy Policy to include provisions supporting distributed generation of renewable energy.</p>		
<p><b><u>SB 1467</u></b> - Saslaw (35) Protective orders; possession of firearms, surrender or transfer of firearms, penalties.</p>	<p>1/8/2019 Senate: Referred to Committee for Courts of Justice 1/28/2019 Senate: Passed by indefinitely in Courts of Justice (8-Y 6-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19103735D) <b>Summary:</b> Protective orders; possession of firearms; surrender or transfer of firearms; penalties. Provides that a court shall order a person subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) to (i) within 24 hours, surrender any firearm possessed by such person to a designated local law-enforcement agency, sell or transfer any firearm possessed by such person to a dealer, or sell or transfer any firearm possessed by such person to any person who is not otherwise prohibited by law from possessing such firearm, provided that such person will not allow the person subject to a protective order to exert any influence or control over the sold or transferred firearm, or (ii) certify in writing that such person does not possess any firearms and file such certification with the clerk of the court that entered the protective order within 48 hours after being served with a protective order. The bill provides that within 48</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>hours after surrendering or selling or transferring all firearms, such person must certify in writing that all firearms possessed by such person have either been surrendered or sold or transferred and file such certification with the clerk of the court that entered the protective order. The bill also provides that any person subject to a protective order who fails to certify in writing that all firearms possessed by such person have either been surrendered or sold or transferred or that such person does not possess any firearms is guilty of a Class 1 misdemeanor. The bill provides procedures for designating a local law-enforcement agency to receive and store firearms as well as a process to return such surrendered firearms. The bill also provides that any person who buys or has a firearm transferred to him from a person subject to a permanent protective order and allows the person subject to a protective order to exert any influence or control over the sold or transferred firearm is guilty of a Class 1 misdemeanor.</p>		
<p><a href="#">SB 1471</a> - Hanger, Jr. (24) Computation of composite index; land-use assessment value.</p>	<p>1/8/2019 Senate: Referred to Committee on Finance 1/31/2019 Senate: Passed by indefinitely in Finance (16-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Oppose</b> (19102935D) - Board has historically opposed. Rather than modifying individual components of the LCI formula, a comprehensive approach should be taken, including addressing factors relating to cost of living. This bill would result in the shifting of funds from urban to rural localities; Fairfax County Public Schools estimates that it would lose more than \$7.6 million. <b>Summary:</b> Education; computation of composite index; land-use assessment value. Requires the General Assembly to modify the current standards of quality funding formula and the calculation of composite index of local ability to pay to incorporate within the real estate indicator of local wealth the land-use assessment value for those properties located within a land-use plan.</p>		
<p><a href="#">SB 1476</a> - Deeds (25) School bus video-monitoring systems; release of information by DMV.</p>	<p>1/8/2019 Senate: Referred to Committee on Transportation 1/23/2019 Senate: Incorporated by Transportation (SB 1520-Carrico) (13-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19101967D) - Board has historically supported. <b>Summary:</b> School bus video-monitoring systems; release of information by the Department of Motor Vehicles. Authorizes the Department of Motor Vehicles to release vehicle owner data of a vehicle that failed to stop for a stopped school bus upon request of a video-monitoring system operator or upon request of the authorized agent or employee of a video-monitoring system operator.</p>		
<p><a href="#">SB 1672</a> - Locke (2) Absentee voting; no-excuse absentee.</p>	<p>1/11/2019 Senate: Referred to Committee on Privileges and Elections 1/29/2019 Senate: Stricken at request of Patron in Privileges and Elections (13-Y 0-N)</p>	<p><b>1/22/2019</b></p>
<p><b>Support</b> (19102230D) - Board has historically supported. See also HB 1641 (Herring), SB 1026 (Spruill), and SB 1035 (Locke). <b>Summary:</b> Permits any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons under which a person may be entitled to vote by absentee ballot and removes references to those reasons from other sections of the Code.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<b><u>SB 1708</u></b> - Edwards (21) Law-Enforcement Officers Procedural Guarantee Act; hearing panel decisions.	1/15/2019 Senate: Referred to Committee for Courts of Justice 1/28/2019 Senate: Failed to report (defeated) in Courts of Justice (6-Y 6-N 2-A)	[1/25/2019]
<p>[Oppose] (19104419D)</p> <p><b>Summary:</b> Law-Enforcement Officers Procedural Guarantee Act; hearing panel decisions; finality and enforcement. Makes final and binding the decision of the hearing panel conducting a hearing to review an action that dismisses, demotes, suspends, or transfers a law-enforcement officer for punitive reasons, if such decisions are consistent with law and written policy. Under current law, the hearing panel only provides advisory recommendations. The bill allows either party to the hearing to petition the circuit court of the locality in which the grievant is employed for an order requiring the implementation of the final decision of the hearing panel.</p>		
<b><u>SB 1770</u></b> - Deeds (25) Transportation funding; creates a statewide approach to funding.	1/18/2019 Senate: Referred to Committee on Finance	[1/25/2019]
<p>[Oppose] (19104415D)</p> <p><b>Summary:</b> Transportation Funding. Creates a statewide approach to transportation funding. The bill repeals the regional sales tax and gas tax enacted in 2013 to fund transportation initiatives in Hampton Roads and Northern Virginia, and raises the statewide gas tax by three percent to fund transportation generally. The bill has a delayed effective date of July 1, 2020, and directs the Secretary of Transportation to report to the Governor and the chairmen of the House Committees on Appropriations and Transportation and the Senate Committees on Finance and Transportation regarding changes necessary to existing transportation funding allocations to honor existing contracts and debt service obligations.</p>		
<b><u>SB 1783</u></b> - Boysko (33) Local employee grievance procedure; qualifying grievances by local government employees.	1/18/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Stricken at request of Patron in Local Government (8-Y 0-N)	[1/25/2019]
<p>[Oppose] (19104563D) - Board has historically opposed.</p> <p><b>Summary:</b> Local employee grievance procedure. Provides that qualifying grievances by local government employees shall advance to a final step as agreed upon by the aggrieved and the local government; however, if an agreement cannot be reached on whether to use a panel hearing or hearing officer, a three-person panel shall be used. The bill contains technical amendments.</p>		

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# Key House and Senate Member Budget Amendments for Fairfax County 2019 General Assembly

## 2018-2020 BIENNIUM BUDGET

### Support

#### State Transit Operating Formula

*House: Item 445 #3h (Sickles)*

*Senate: Item 445 #1s (Barker)*

Delays the implementation of the statewide prioritization for the mass transit fund from July 1, 2019, to July 1, 2020. This amendment provides an additional year for the Department of Rail and Public Transportation (DRPT) to prepare a new methodology that is based on the performance metrics to be recommended by Transit Service Delivery Advisory Committee (TSDAC) and approved by the Commonwealth Transportation Board (CTB).

*House: Item 445 #6h (Thomas)*

*Senate: Item 445 #2s (Mason)*

Allows a one-year transition for mass transit providers to prepare for a new allocation methodology that is based on performance metrics recommended by TSDAC and approved by the CTB.

#### Cost of Competing Adjustment for K-12 Support Positions

*House: Item #18h (Bell, John)*

*Senate: Item 136 #1s (Barker)/ Item 136 #26s (Black)*

Provides \$25.4 million GF in FY 2020 to increase the percentage rate for Standards of Quality funded support positions from 10.61 percent. The entire Fairfax County delegation signed on as co-patrons to the amendments sponsored by Delegate Bell and Senator Barker.

#### K-12 Support Position Cap

*House: Item 127 #1h (Sickles)*

*Senate: 127 #1s (Howell)*

Directs the Secretary of Education and the Secretary of Finance, in consultation with the Chairs of the appropriate General Assembly committees, to develop a plan to eliminate the current cap on funding for support positions in the Standards of Quality. The plan is due prior to the 2020 General Assembly session and must include a schedule to eliminate the cap by FY 2024. (*Amendment requested by VACo.*)

#### Standards of Quality Funding

*House: Item 136 #22h (Krizek)*

*Senate: Item 136 #4s (Dance)*

Provides a one-time adjustment of \$177 million GF in FY 2020 to the Direct Aid to Public Education funding formula by increasing the state's share of the Standards of Quality from 55 percent to 57 percent (this reflects the state's share of K-12 across all localities; in Fairfax County, the state pays a significantly smaller share). This adjustment would provide assistance to all localities, as they continue to struggle with the long-lasting effects of the reduction in state K-12 support during the recession. (*Amendment requested by VACo.*)

#### Aid to Localities with Police Departments

*House: Item 397 #2h (Ingram)*

*Senate: Item 397 #1s (Dance)*

Provides \$7.9 million GF each year of the biennium to the “HB 599” program, which provides aid to localities with police departments. Virginia law requires that HB 599 funding increases at the same rate as growth in state General Fund revenue collections, and these amendments would ensure HB 599 funding increases to match the GF increases in the 2018-2020 biennium budget amendments. *(Amendment requested by VACo.)*

#### Community Services Board (CSB)

*House: Item 312 #3h (Sickles)*

Provides \$2.6 million GF in the second year to implement two Programs of Assertive Community Treatment (PACT) teams at the Fairfax-Falls Church CSB. As an evidence-based program, each PACT team can serve about 100 individuals. The Fairfax-Falls Church CSB currently serves more than 400 individuals eligible for the PACT program, though it only has one PACT team.

*House: Item 312 #7h (Sickles)*

Provides \$540,000 GF the second year to provide discharge assistance plans for individuals transitioning from state mental health hospitals into the Fairfax-Falls Church CSB service area. This funding will assist in providing needed community services for up to 40 individuals who are ready for discharge from state mental health hospitals.

*Senate: Item 312 #6s (Howell)*

Provides \$916,667 GF in FY 2019 and \$3.4 million GF in FY 2020 to increase funding for Permanent Supportive Housing.

*House: Item 310 #4h (Sickles)*

*Senate: Item 310 #3s (Barker)*

Localities, including Fairfax County, have raised concerns about reductions in funding for CSBs (included in the 2018-2020 biennium budget passed by the 2018 GA) being greater than Medicaid revenue resulting from Medicaid expansion, which is supposed to offset those reductions. State funding to the Fairfax-Falls Church CSB will be reduced by \$1.69 million in FY 2019 and \$4.36 million in FY 2020, based on the assumption that the CSB will receive increased revenue as a result of newly-eligible Medicaid participants. However, the maximum additional billings resulting from newly-eligible Medicaid participants will be only \$915,000 in FY 2019. The Governor’s budget would allow the Department of Behavioral Health and Developmental Services (DBHDS) to provide funding from special fund balances at the end of FY 2019 to CSBs if a CSB’s additional FY 2019 Medicaid reimbursements do not reach at least 90 percent of the reductions assumed in the biennium budget. These budget amendments would allow that assistance to be provided prior to the end of FY 2019, so that critical services are not disrupted. The amendments also require DBHDS to report on how the expected GF savings compare to actual Medicaid payments for FY 2019, so that the expected GF savings in FY 2020 may be adjusted by the 2020 General Assembly, if necessary. *(Amendment requested by VACo.)*

#### Developmental Disability Waiver Rates

*House: Item 303 #7h (Torian)*

*Senate: Item 303 #1s (Barker)*

Provides \$43.2 million GF and \$43.2 million in federal Medicaid matching funds in FY 2020 to increase the number of Medicaid Community Living waiver slots by 345 and the number of Medicaid Family and Individual Supports waiver slots by 1,888. The additional slots would eliminate the Priority One waiting list.

### Judgeships

*Senate: Item 41 #4s (Petersen)*

Provides approximately \$154,000 GF in each year for a 12<sup>th</sup> General District Court (GDC) judgeship in the 19<sup>th</sup> Judicial District (Fairfax County).

*Senate: Item 41 #5s (Surovell)*

Provides approximately \$270,000 for a 12<sup>th</sup> GDC judgeship in the 19<sup>th</sup> Judicial District (Fairfax County), effective July 1, 2019.

### Northern Virginia Regional Gang Task Force

*House: Item 395 #2h (Hugo)*

Provides \$1.5 million GF in the second year for the Northern Virginia Regional Gang Task Force, to be distributed by the Department of Criminal Justice Services.

### Stormwater

*House: Item 368 #2h (Yancey)*

Provides \$20 million GF in the second year for the Stormwater Local Assistance Fund (SLAF), which is utilized to assist localities in meeting stormwater best management practices required to reduce water quality pollutant loads and meet the water quality requirements of the Chesapeake Bay Watershed Implementation Plan.

### Virginia Housing Trust Fund

*House: Item 105 #1h (Lopez)*

Provides \$10 million GF in each year of the biennium for the Virginia Housing Trust Fund.

### Communications Sales and Use Tax Trust Fund

*House: Item 3-1.01 #2h (Ingram)*

*Senate: Item 3-1.01 #1s (Wagner)/ Item 3-1.01 #3s (Ebbin)*

The budget passed in 2018 directed that \$2 million per year be diverted from the Communications Sales and Use Tax Trust Fund into the state General Fund. Localities strongly objected to this action, as the Trust Fund represents revenues held in trust for localities. The Governor's introduced budget eliminated this transfer in FY 2020, and these amendments would eliminate the transfer in FY 2019. (*Amendment requested by VACo.*)

### Libraries

*House: Item 238 #1h (Rush)/Item 238 #2h (Sickles)*

Provides an additional \$2 million GF in the second year to increase state aid to local libraries.

### Study on Election Funding

*House: Item 1 #2h (Cole)*

*Senate: Item 1 #3s (Ebbin)*

Directs the Chairmen of the House and Senate Committees on Privileges and Elections to convene a stakeholder group to advise the Committees on the funding of election administration in Virginia, including current state support, the relative shares of state and local support (including trends in that support over time), and expected future needs of a modern election system. (*Amendment requested by VACo.*)

### Northern Virginia Family Services

*House: Item 346 #9h (Sickles)*

*Senate: Item 346 #6s (Barker)*

Provides \$500,000 GF in each year of the biennium for Northern Virginia Family Services to expand early childhood education and adult workforce development programs.

### Turning Point Suffragist Memorial

*House: Item 374 #5h (Tran)*

*Senate: Item 374 #6s (Vogel)*

Provides \$250,000 GF in FY 2020 toward the costs of the \$2 million budget for the Turning Point Suffragist Memorial to be built on the historic prison grounds at Occoquan Regional Park in Lorton, Virginia. This one-time request represents one-eighth of the \$2 million budget for the Memorial and would leverage about \$500,000 in public-private funds committed from Fairfax County and private donors.

## Oppose

### K-12 Funding

*Senate: Item 136 #9s (Hanger)*

Provides \$2.6 million GF in the second year and modifies, beginning with FY 2020, the current calculation of composite index of local (LCI) ability to pay to incorporate the land-use assessment value for those properties located within a land-use plan. *Fairfax County has historically opposed efforts to modify individual components of the LCI, as a comprehensive approach should be taken to address factors such as cost of living, among others. This budget amendment would result in the shifting of funds from urban to rural localities – Fairfax County Public Schools estimates that it would lose more than \$7.6 million.*

### Regional Funding

*House: Item 433 #1h (LaRock)*

Directs the CTB to transfer management of the toll revenues generated on I-395 and I-66 Inside the Beltway Express Lanes from the Northern Virginia Transportation Commission/ Potomac and Rappahannock Transportation Commission (NVTC/PRTC) to the Northern Virginia Transportation Authority (NVTA) following development of the FY 2020 program of projects.

*House: Item 4-5.11 #2h (Hugo)*

Prohibits the use of any NVTA funds to support the Washington Metropolitan Area Transit Authority (WMATA) or Metro-related projects without express General Assembly approval.

*Senate: Item 453 #1s (Black)*

Restores the transfer of \$74.55 million from NVTA to the WMATA Capital Fund resulting from legislation approved by the 2018 General Assembly.

### I-66 Tolling

*House: Item 433 #2h (LaRock)*

Directs the Virginia Department of Transportation (VDOT) and the Secretary of Transportation to make changes to the tolling policies on I-66 Inside the Beltway and initiate tolling of reverse commuters upon completion of the Eastbound widening project from the Dulles Connector Road to Ballston.

## Monitor

### Body Worn Cameras for Law Enforcement

#### *Senate Item 73 #3s (Norment)*

Establishes guidelines for staffing requirements in Commonwealth's Attorney's offices to hire one Assistant Commonwealth's Attorney for every 75 body worn cameras utilized by local law enforcement officers. The amendment includes language allowing localities, only with the consent of their Commonwealth's Attorney's office, to use a different formula to provide additional funding to address the impact of body worn cameras. In addition, the language allows any additional funding provided by a locality, as of July 1, 2019, to their Commonwealth's Attorney specifically for addressing the staffing and workload impact of body worn cameras, to be credited to the formula used in that locality. The amendment also continues the Compensation Board's study of the impact of body worn cameras on the workload of Commonwealth's Attorneys, and requires Commonwealth's Attorney's offices in localities that employ body worn cameras to report data on the hours of footage received, hours spent redacting the videos, and any other data deemed necessary by the Compensation Board – localities may discontinue funding in the following fiscal year if their respective Commonwealth's Attorney fails to report this data for two consecutive quarters. *Fairfax County already provides a significant amount of supplemental funding for the Commonwealth's Attorney's office. This budget amendment would mandate that Fairfax County provide a substantial amount of additional funding if the County chooses to pursue a body worn camera program (the County is currently analyzing its body worn camera pilot program, which ended last year).*

## FYI

### Transportation Project Funding

As has been the case in recent years, numerous budget amendments have been introduced to provide funding for projects outside existing formulas and prioritization processes, including:

- Funding from DRPT for the evaluation of enhanced public transportation services from the Franconia-Springfield Metro Station to Marine Corps Base Quantico in Prince William and Stafford Counties. *House Item 445 #3h (Carroll Foy); Senate Item 445 #4s (Surovell)*
- Non-GF funds from VDOT (up to \$800,000 in FY 2020) for a study of necessary improvements to Route 28. *Item 449 #2h (Roem), Item 449 #3h (Roem); and Item 449 #4h (Roem).*
- Requiring VDOT to redirect \$5 million in FY 2020 from existing maintenance funding to enhance safety service patrols across the Commonwealth's interstate system, with priority given to the I-81 Corridor. *Item 451 #5h (Landes)*
- Providing a transfer of \$8.5 million in FY 2020 from the Transportation Trust Fund to the Commercial Spaceflight Fund for an extension of the existing runway and associated tree removal. *Item 434 #1s (Wagner)*

### Department of Motor Vehicles

Numerous amendments would increase various fees to address Department of Motor Vehicle (DMV) funding needs, including:

- Adjusting the fee on all motor vehicle titles to partially account for inflation. *House Items 439 #1h (Ingram), 439#6h (Garrett), and Item 439 #8h (Sickles); Senate Item 439 #1s (Saslaw)*
- Raising the processing fee charged for vital record transactions at DMV locations. *House Items 439 #2h (Ingram) and 439 #5h (Garrett); Senate Item 439 #3s (Carrico)*

### Review of Workers' Compensation

Authorized by the Joint Legislative Audit and Review Commission on December 10, 2018

WHEREAS, the Virginia Workers' Compensation Act (hereinafter referred to as "the Act") was enacted in 1918 to balance the interests of injured workers, employers, insurers, and other stakeholders in the spirit of the "compensation bargain" between employers and employees; and

WHEREAS, under the "compensation bargain" and the Act, in exchange for agreeing not to sue employers in tort via common law for workplace injuries, employees were guaranteed a no-fault system of wage replacement and medical treatment for injuries they might sustain due to their employment; and

WHEREAS, the Virginia Workers' Compensation Commission administers the workers' compensation program in Virginia and oversees the resolution of claims in accordance with the Act through mediation and hearings; and

WHEREAS, the Virginia Workers' Compensation Commission received more than 48,000 claims, and docketed nearly 12,000 cases for adjudication in 2017; and

WHEREAS, in most cases, in order to receive benefits under the Act, employees are required to prove by a preponderance of the evidence that they were injured and that they suffered the injury during and in the scope of the employment; and

WHEREAS, exceptions were created in the Act over the years to allow the presumption that certain conditions and diseases occur as a result of certain types of employment, unless these presumptions are overcome by a preponderance of evidence to the contrary; and

WHEREAS, at the time these presumptions were enacted, employees were having a difficult time proving claims for these particular types of conditions and diseases due to limitations in medical science, and there have been significant advancements in medical knowledge, diagnostic technology, and in exposure prevention since these presumptions were enacted; now, therefore be it

RESOLVED by the Joint Legislative Audit and Review Commission (JLARC) that staff be directed to review the operation and performance of the Virginia workers' compensation system and use of presumptions. In conducting its study, staff shall assess (i) whether claims are reviewed and processed promptly and fairly; (ii) whether the dispute resolution process is timely, effective, and equitable toward all parties; (iii) whether appropriate measures are in place to minimize the potential for fraud and abuse; (iv) whether Virginia's disease presumptions are appropriate and how they compare to presumptions established in other states; (v) whether the level of evidence required to claim or rebut a disease presumption is reasonable and appropriate; and (vi) whether workers' compensation benefits are appropriately coordinated with other benefits available to injured workers. JLARC shall make recommendations as necessary and review other issues as warranted.

All agencies of the Commonwealth, including the Workers' Compensation Commission, local governments, the Virginia Association of Counties, the Virginia Association of Counties Risk Pool, the Virginia Municipal League, the Virginia Municipal League Insurance Programs, public safety and firefighter stakeholder groups, and private employers of firefighters shall provide assistance, information, and data to JLARC for this study, upon request. JLARC staff shall have access to all information in the possession of state agencies pursuant to § 30-59 and § 30-69 of the Code of Virginia, including all documents related to all claims adjudicated or otherwise resolved by the Workers' Compensation Commission. No provision of the Code of Virginia shall be interpreted as limiting or restricting the access of JLARC staff to information pursuant to its statutory authority.